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# 1993 Annual Report of The Attorney General of the United States



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# Foreword

## To the Senate and the House of Representatives of the United States of America in Congress Assembled:

*This Annual Report reflects the continuing dedication of every Department of Justice employee to the principles of justice and fair treatment for all. The Department's employees carried out their responsibilities with a renewed commitment to address each issue with one fundamental question: What is the right thing to do?*

*In 1993, the Department began to focus more on ensuring the future welfare of this Nation by supporting programs that protect children from crime and violence. We assisted communities and police departments in providing increased protection to our citizens and we persisted in the attack on drug traffickers both here and abroad. We pursued the challenge to ensure a clean environment and to safeguard the rights of all our citizens. By securing our Nation's borders and implementing reforms to the asylum process, we also strove to meet the expanding needs of our immigrant community.*

*With an increased awareness that the Department of Justice is the lawyer for the people and must serve all Americans, the Department's employees have dedicated their efforts to achieving the goal of a safe Nation, where all inhabitants have an opportunity to achieve individual goals.*

*Respectfully submitted,*

A handwritten signature in black ink, appearing to read "Janet Reno", with a long, sweeping underline that extends to the left.

Janet Reno

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# Introduction

## The Department of Justice

As the Nation's chief law enforcement officer, the Attorney General enforces Federal laws and ensures the fair and efficient administration of the Federal justice system. In carrying out this mission, the Attorney General directs the activities of the more than 95,000 attorneys, law enforcement professionals, and other employees of the United States Department of Justice. This Annual Report of the Attorney General summarizes the major accomplishments of the Department during 1993.<sup>1</sup>

The responsibilities of the Department of Justice are wide-ranging. They include: detecting, apprehending, prosecuting, and incarcerating criminal offenders; upholding the civil rights of all Americans; enforcing laws to protect the environment; ensuring healthy competition of business in our free enterprise system; safeguarding the consumer from fraudulent activity; carrying out the immigration laws of the United States; and representing the American people in all legal matters involving the United States Government. As shown on the organization chart on page 3, these responsibilities are discharged by the components of the Department. Among these components are the major law enforcement agencies (the Federal Bureau of Investigation, the Drug Enforcement Administration, the U.S. Marshals Service, the Immigration and Naturalization Service, and the Bureau of Prisons), and the litigating components (the legal divisions and the United States Attorneys).

Although the Department is headquartered in Washington, D.C., most of its work takes place outside of Washington. As a result, most of its employees are located in one of the more than 1,400 offices of the Department around the country or in one of its nearly 100 overseas offices.

Overall, the Department of Justice had a budget of \$6.7 billion in 1989. It rose to \$11.2 billion in 1993, a 68 percent increase. Key areas of growth included expansion of the Federal prison system, initiatives to

combat drug-related and violent crime and financial institution fraud, and increased financial assistance to State and local governments. There was also a significant increase in the Fee accounts, such as the Immigration User Fee and Immigration Examination Fee, that contributed to this rise in the overall budget.

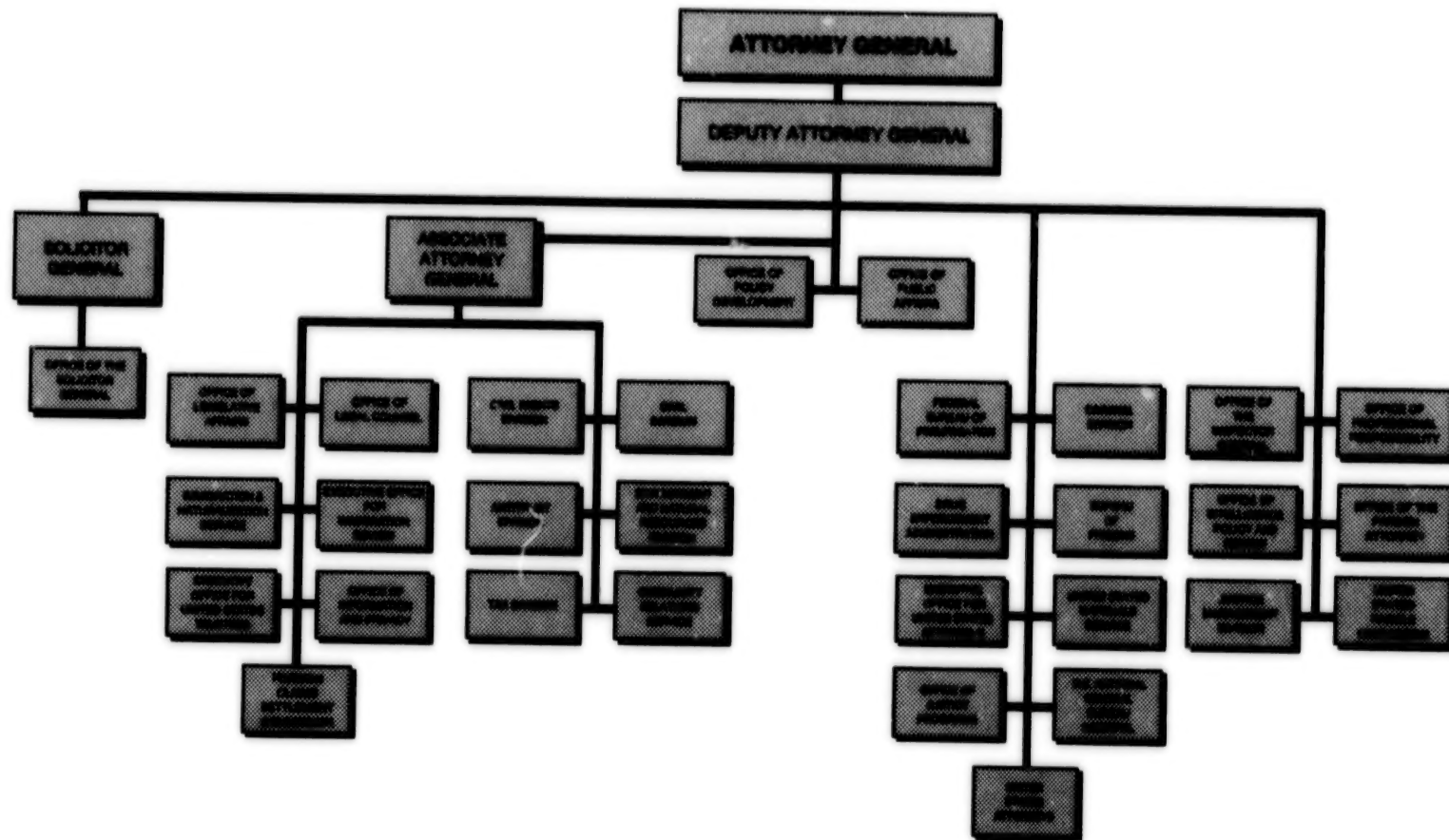
## Highlights of 1993 Accomplishments

- Attacked major drug trafficking organizations both here and abroad and seized and forfeited their ill-gotten profits.
- Began to fulfill the Administration's commitment to put tens of thousands of additional police officers on America's streets by awarding grants to local communities.
- Provided financial and technical assistance to encourage localities to implement community policing strategies in which law enforcement officers and community residents work together to combat violent and drug-related crime.
- Made protecting America's children one of the Department's top priorities by focusing resources on helping children most at-risk of becoming involved in gangs, drugs, and crime and fostering efforts to help children grow up healthy, in a safe and drug-free environment.
- Increased drug treatment programs for offenders in the custody of the Bureau of Prisons and provided assistance to State and local agencies implementing alternative punishments, such as boot camps, that provide treatment for drug abusers.

<sup>1</sup>This report covers Fiscal Year (FY) 1993, which began on October 1, 1992 and ended on September 30, 1993. All references to years indicate Fiscal Years unless otherwise noted.

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- Continued to target violent and repeat offenders by supporting joint Federal, State, and local task forces and providing specialized assistance in priority cases, such as those involving carjacking or illegal use of firearms.
  - Continued the largest expansion in the history of the Bureau of Prisons by adding over 9,100 new beds.
  - Worked to secure enactment of the Brady Bill, the first major Federal legislation to help keep handguns out of the hands of criminals.
  - Continued efforts to ensure successful implementation of the Brady Law by improving the ability of law enforcement agencies to share information on criminal histories.
  - Reaffirmed the Department's commitment to vigorous enforcement of Federal civil rights laws, as evidenced by the successful prosecution of two Los Angeles police officers for beating Rodney King.
  - Took steps to stem the tide of illegal immigration by implementing new and additional preventive measures along the Southwest border, combatting alien smuggling, improving the political asylum process, increasing the deportation of criminal aliens, and working with the Administration to propose immigration reform legislation.
  - Combated fraud and other white collar crime that erodes confidence in our institutions and imposes heavy costs to both taxpayers and victims alike, including receiving a payment of \$100 million from National Health Laboratories to settle claims that it defrauded the Government.
  - Placed renewed emphasis on enforcement of laws to protect the environment and to preserve economic competition.
  - Enhanced Government's accountability to the American people by adopting a new policy that makes it easier for citizens to obtain documents under the Freedom of Information Act.
  - Improved the management of the Department of Justice by establishing a "Justice Performance Review" to continue the pioneering reform efforts of the Vice-President's "National Performance Review," and by involving all Department employees in helping make the Department work better and more efficiently.

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# Chapter I

## Making America Safe

*Goal: Guarantee the incarceration of violent and repeat offenders and concentrate law enforcement resources where they are the most effective.*

Rigorous attention to basic law enforcement responsibilities helps ensure that wholesome community programs can proceed in a safe and secure atmosphere. During 1993, the Department continued its efforts to maintain that level of rigor in meeting its Federal obligations, as well as assisting the coordination of anticrime efforts at the State and local levels. Because the criminal element is not constrained by national boundaries, Department organizations also sought to strengthen international law enforcement work, thereby making it more difficult for crime and drug abuse to transit onto the streets of this country.

### Violent and Repeat Offenders

Government's most fundamental responsibility is protecting its people against the violent, predatory criminal. Because the offenses committed by this type of criminal nearly always fall under the jurisdiction of State or local law enforcement officials, the Department of Justice's weapons against this threat are limited. Nevertheless, Department components continued to search for the most useful ways to use their own unique resources to support community crime fighting efforts. As a result, many of the Department's contributions during 1993 came in diverse forms, including support for joint task forces, targeted assistance to meet special crime problems, and the sharing of technological and other expertise. Some highlights in these areas are discussed below.

#### *Joint Task Forces*

For many years, the Drug Enforcement Administration (DEA), through its Task Force program, has

served as a model for establishing cooperative and productive working relationships to support major narcotics investigations. During 1993, the Federal Bureau of Investigation (FBI) continued to build on this concept by having in place 107 Safe Streets Task Forces (SSTFs) in 51 of its field offices. These units consisted of nearly 600 FBI Special Agents, 730 State and local officers and 56 enforcement personnel from other Federal agencies. The SSTFs are designed to address crimes of violence, as well as target fugitives who have been similarly charged.

The United States Marshals Service (USMS) utilized a shorter-term version of the task force concept when it implemented Operation Trident, a nationwide, multi-jurisdictional operation to track down and arrest fugitives from justice. This major undertaking resulted in the arrest of 9,467 felons and was particularly successful in targeting repeat offenders, with fugitives averaging more than six prior arrests before their apprehension. In fact, four of the fugitives had previously been arrested more than 100 times each. The total arrests included 405 fugitives wanted for homicide, 1,552 wanted for assault and other violent crimes, 1,251 wanted for firearms violations, and 629 wanted for sexual assaults.

#### *Targeted Assistance to Meet Special Problems*

On occasion, there arise law enforcement problems of such a unique or urgent nature that immediate, highly-focused Federal assistance is required. This occurred several times during 1993, and the Department's efforts to resolve the problems further illustrate the effectiveness of cooperative Federal and local efforts. The explosion of carjacking incidents that occurred throughout the country led to a heavy volume of requests for Federal investigative and prosecutive assistance. In response to this burgeoning crime problem, the FBI developed an automated system that could be simultaneously accessed by multiple



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agencies, at any time, to share all pertinent information relating to these crimes. At the same time, the FBI and the Department's prosecutors augmented local efforts by targeting for prosecution those carjacking cases that involved career criminals or organized gang activity, or with particularly vicious circumstances. Even under these limited circumstances, FBI investigations still led to 57 convictions under the carjacking statute.

Another special focus of Federal enforcement assistance in 1993 was directed against the continuing epidemic of illegal firearm use. Specifically, in conjunction with U.S. Attorneys' Offices, the Criminal Division maintained its efforts to stop armed recidivists through "Project Triggerlock." This program seeks to combine the investigative resources of Federal, State, and local authorities by referring armed repeat offenders and particularly violent criminals for prosecution under Federal firearms statutes. During 1993, nearly 6,100 defendants were charged with Federal firearms violations. A total of 1,115 were charged as convicted felons in possession of a firearm, and 349 of these were charged as armed career criminals, having three or more prior convictions of violent felonies or serious drug offenses.

Several individual episodes of violence or patterns of illegal, life-threatening behavior were so aggravated during 1993 that they too required a heavy commitment of Federal investigative assistance. The World Trade Center bombing in February of last year perhaps provided the most dramatic example. Concerted efforts by the Department's expert agents and attorneys, with extensive assistance from local officials, led to initial arrests within ten days. Fifteen defendants were subsequently indicted. In another example, the Los Angeles area had experienced since mid-1987 a rise in the number of racially-motivated crimes perpetrated by various groups of white supremacists known as Skinheads. Following an extensive FBI domestic terrorism investigation, nine individuals were arrested and charged with a variety of weapons and explosives violations. Two persons were found guilty following a jury trial and three plead guilty.

Finally, another special episode that required Federal assistance during 1993 involved the shootout between agents of the Bureau of Alcohol, Tobacco and Firearms and residents of the Branch Davidian compound near Waco, Texas, and the subsequent 51-day standoff with Federal officials. As a result of the investigative efforts of Federal, State, and local law enforcement agencies, 12 of David Koresh's followers were indicted.

### *Sharing Technological and Other Expertise*

Department organizations have a long history of responding to requests for assistance from members of the State and local law enforcement community. The FBI, in particular, has been a leader in this area, and 1993 witnessed further progress in upgrading the level of Federal expertise available. One of the most dramatic examples in this area involved continuing advances in the use of DNA technology. Specifically, the FBI Laboratory performed over 2,500 DNA examinations of biological evidence, primarily from rape and murder cases. Over 90 percent of these had been submitted by State and local police agencies.

The potential for further applying DNA technology in law enforcement action against violent crime is substantial. Twenty-two States have now passed statutes requiring sex offenders, and certain other violent criminals, to provide blood samples for DNA typing, the results of which are stored in a State DNA database. The FBI Laboratory is nearing completion of a pilot Combined DNA Index System (CODIS) that will allow State and local DNA laboratories to exchange DNA profiles to link rape cases, identify suspects from previously convicted sex offenders and other violent criminals, and conduct searches against the State DNA databases containing criminal DNA profiles.

Another example of how technological advances in Federal crime-fighting skills can benefit local communities is a FBI Laboratory innovation called DRUG-FIRE. During 1993, this computer system, following a



successful pilot study in the Baltimore/Washington, D.C. area, was installed in eight firearms laboratories covering Southern California. DRUGFIRE is designed to match spent ammunition typically recovered from crime scenes associated with drug or gang-related shootings. It helps firearms examiners to link evidence that typically would not be possible due to limitations on how much evidence is normally stored or exchanged. Thus far, approximately 150 cases have been linked to one or more cases in the DRUGFIRE database.



*FBI technician comparing images of field cartridge cases on the DRUGFIRE system.*

## Street Gang Members

Over the past several years, the resurgence of gangs has made them a significant factor in the increasing incidence of violent crime and generally disruptive behavior, particularly in urban environments. Although again facing limited jurisdiction in most of these matters, Department organizations sought last year to maintain a special focus on this nationwide problem and to help design a strong enforcement counteroffensive.

The DEA utilized its special expertise in setting up cooperative arrangements with local police by creating six REDRUM task forces to investigate drug trafficking related murder. Located around the country, these task forces, consisting of DEA agents and local homicide detectives, have successfully investigated and prosecuted several notorious violent gangs, resulting in the arrest of 59 major drug traffickers and the seizure of assets valued at \$1.6 million, and substantial amounts of cocaine, crack, and heroin.

The FBI developed a gang strategy to provide a framework for the investigative approach to be utilized by task forces it has sponsored. This strategy focuses on those large multi-jurisdictional gangs that have an organizational structure much like that of traditional organized crime families. Existence of this type of criteria better enables Department prosecutors to build major Racketeer Influenced and Corrupt Organizations (RICO) or Continuing Criminal Enterprise (CCE) cases against these violent gangs.

Among the many successful prosecutions which were completed during 1993 as a result of these various Departmental efforts were the following:

- Eighteen members of the Los Angeles-based Bloods and Crips street gangs were convicted in the District of Nebraska on charges relating to the gangs' expansion of drug trafficking activities into the Midwest. Two of the defendants received the first life sentences ever imposed in that district.
- Thirty-one members of a crack and PCP distribution organization were indicted in Massachusetts. The organization had controlled an entire community through violence.
- In Rockford, Illinois, 32 members of the Black Gangster Disciples were arrested. Seventy-five percent of the drive-by shootings in the area were attributed to this group and their drug activity.

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- Death penalty sentences were handed down in Richmond, Virginia, against three members of the violent Newtown gang involved in the distribution of crack cocaine.

Efforts of other Department organizations also played a role in these types of cases last year, or contributed in other ways to minimizing further outbreaks of violent gang activity. For example, the U.S. Marshals Service (USMS) routinely provided protection for witnesses and gang members whose testimony was crucial to a successful prosecution. In addition, the USMS continued its support of an experimental project in the Washington, D.C., area that uses shorter-term protective arrangements while the prosecution of street criminals proceeds.

The Immigration and Naturalization Service (INS) also continued its dedicated task force approach against gangs, with 150 special agents assigned to such units, primarily in the larger cities. During 1993, over 2,800 arrests were made of alien gang members, including 470 aggravated felons. Among the variety of items seized during these arrests were almost 600 firearms. In addition, INS established a special database in 1993 so that it could maintain information on alien smugglers, drug traffickers, outlaw motorcycle gangs, and neo-Nazi groups.

Finally, additional help in countering community-level violence by gangs was channeled through the Bureau of Justice Assistance (BJA). One ongoing BJA program is specifically geared toward developing better enforcement strategies to deal with urban, hard-core gangs heavily involved in drug trafficking. A second initiative, being tried in four cities as a demonstration project, seeks a mix of prevention, intervention, and suppression activities to address gang problems in a more comprehensive fashion.

## Drug Traffickers

The best hope for ending the pervasive influence of drug traffickers involves not only unrelenting law enforcement activity at all levels, but also demand reduction efforts to an unprecedented extent. As the Department of Justice undertook a long-term commitment to this dual approach during 1993, its component organizations began to re-examine their own programs and to prepare for a broader application of those that were most directly related to these two goals. This section highlights some of the efforts made in these areas.

### *Law Enforcement Efforts*

During 1993, enforcement efforts of Department components with drug fighting responsibilities sought to totally dismantle a drug trafficker's support structures. This was best exemplified by the DEA's Kingpin Strategy, which spells out the organizational makeup, and vulnerabilities, of the most significant drug trafficking operations in the world, including information on their leadership and their production, distribution, transportation, and communications systems. Included on the target list in 1993 were four heroin organizations and eight cocaine organizations.

The power and resiliency of these kingpin enterprises are largely due to their vast wealth and networks of foreign-based resources, as well as well-established distribution systems and user groups within this country. It is for these reasons that the Department's law enforcement efforts focus on three distinct areas in order to be effective over the long term: (1) international cooperation and interdiction; (2) domestic enforcement; and (3) asset forfeiture.

#### **International Cooperation and Interdiction:**

Because the major drug traffickers all have in place sophisticated systems for maintaining necessary production levels and transportation routes, the Department's overall enforcement strategy must rely heavily on the continued cooperation of foreign

governments. With a relatively large enforcement presence abroad, DEA was able to register continued success during 1993 in disrupting overseas drug production. Of special note was the suppression of over 45 tons of cocaine, owing largely to the cooperation of host country personnel in support of the following efforts:

- Operation Snowcap efforts in both Bolivia and Peru, which resulted in cocaine seizures of over 7,500 kilograms and 9,700 kilograms, respectively, and
- DEA's Operation Cadence in Guatemala (8,258 kilograms of cocaine), and Mexico's Northern Border Response Force (15,880 kilograms).

While these types of cooperative drug suppression efforts proceeded at the sources of supply, enforcement activity was also being directed to support interdiction efforts closer to the United States. For example, DEA's El Paso Intelligence Center provided extensive and timely intelligence tracking of the movement of incoming drug shipments. As a result of these efforts, 40 metric tons of cocaine, 70 metric tons of marijuana, 21 vessels, and 23 aircraft were seized during 1993.

In addition to these various seizures, which caused at least temporary disruptions in traffickers' production sources, Department organizations continued or initiated other actions during 1993 that may result in greater impact over the long term. For example, the Criminal Division was able to conclude and bring into force seven international law enforcement treaties that can



*Operation Cadence —cocaine seizure with a general aviation aircraft in Guatemala*

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be crucial to the successful resolution of drug conspiracy investigations.

International liaison efforts, long advocated by DEA in the area of chemical controls, have now begun to result in significant operational successes. For example, last year DEA stopped 11 exports of listed chemicals totaling over 437 metric tons. Evidence had shown that these shipments were likely being diverted to the illicit production of drugs in the importing country. In September 1993, based on information supplied by DEA, the German government for the first time stopped the export to Colombia of 150 metric tons of an essential chemical used in the production of cocaine.

Another precedent-setting event with important implications was recorded during 1993. Cuban authorities surrendered to DEA two suspected cocaine traffickers who had fled an enforcement action in the Bahamas but were subsequently arrested by Cuban personnel. This represented the first time that Cuba had fully cooperated in the surrender of drug suspects to the United States. As part of its ongoing work with cooperating foreign governments, DEA helped conduct highly-successful counternarcotics operations in Bolivia, Peru, and Colombia, as well as in major heroin-producing areas of Southeast Asia.

This past year also witnessed the maintenance or expansion of other available means for enhancing international cooperation. For example, the U.S. National Central Bureau (USNCB) of INTERPOL, the International Criminal Police Organization, continued to facilitate the processing of investigative requests between this country's law enforcement community and the police agencies of 173 other INTERPOL member nations. A special fugitive registration program of USNCB was expanded in 1993 to include the names of major drug fugitives sought in certain DEA or other priority investigations. Finally, a heightened focus was placed on providing mission-oriented training to the international community. FBI, DEA, and the

International Criminal Investigative Training Assistance Program (ICITAP), which is the only United States program specifically established to address developmental and training needs of law enforcement agencies in emerging democracies, provided training to countries around the world.

**Domestic Enforcement Operations:** During 1993, the Department's domestic narcotics investigations remained targeted at the highest levels of drug trafficking found operating in this country. The formal structure that the Department has put in place to ensure this priority focus is the Organized Crime Drug Enforcement Task Force (OCDETF) program.

In close coordination with selected U.S. Attorneys' Offices, the OCDETF program brings together the varied resources and skills of different Federal agencies to concentrate on complex, long-term investigations. Drug traffickers or money launderers successfully prosecuted by OCDETFs have been sentenced to confinement at exceptionally high rates over the years, thereby further disrupting drug distribution networks.

Both DEA's Kingpin Strategy and FBI's organizational approach to drug investigations are consistent with the principles underlying OCDETF and contributed to several major successes during this past year. A few of the more notable included the following:

- Penetration and ultimate prosecution of a nationwide distribution element of the kingpin Helmer Herrera-Buitrago organization, a DEA case, required close coordination with prosecutors in New York, Houston, Miami, Los Angeles, Phoenix, and Newark, resulted in 44 arrests and seizures of more than \$3.97 million and over 5,420 kilograms of cocaine.
- The FBI's "CALOKCO" investigation targeted the importation and distribution of tons of cocaine and marijuana by the Joseph Edward



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Arvizu organization and resulted in convictions for murder and drug trafficking.

- Operation Green Ice identified and disrupted the financial network used by money laundering organizations. In 1993, 81 additional defendants were arrested, resulting in a total of 192 arrests since the operation began and the seizure of \$47.9 million in assets, 100 bank accounts, 1,036 kilograms of cocaine, and one pound of heroin.
- Operation Emerald Clipper, an ongoing DEA program, targets those responsible for acquiring general aviation aircraft for major South American cocaine trafficking groups. Through civil action, traffickers are denied aircraft essential to their smuggling activities. In 1993, 15 domestic and five foreign aircraft were seized, thus disrupting the logistical/distribution activities of traffickers.

In addition to these major Federal efforts, the Department's organizations continued to support State and local task forces, both through direct participation and through grant funds. Over one-third of BJA Formula Grant funds awarded to States have been used to support multi-jurisdictional Drug Control Task Forces. There have been almost 1,000 task forces supported with BJA funds since 1988.

**Asset Forfeiture:** During 1993, asset forfeiture continued to prove its value as one of the Department's best law enforcement weapons. The effective use of forfeiture takes the profit out of crime and deprives crime syndicates of the tools of their trade. Although forfeiture has been increasingly used in the white collar crime area, the overwhelming majority of asset forfeiture activity last year continued to be in the area of drug trafficking and drug-related money laundering.

Both DEA's and FBI's overall investigative strategies specifically target the financial aspects of criminal enterprises and often result in the substantial disruption

of a drug trafficker's flow of assets. Many proactive money laundering investigations were pursued during 1993 and made extensive use of undercover operations, electronic surveillance, and Internal Revenue Service investigative expertise.

Although the primary goal of these investigations continues to be the dismantling of a criminal organization's financial underpinning, revenue is invariably generated from related, successful forfeiture efforts. During 1993, more than \$555 million in proceeds were deposited into the Department's Assets Forfeiture Fund. Of this amount, over \$215 million in forfeited cash and tangible property was transferred to foreign, State, and local law enforcement agencies, reflecting their participation in Federal investigations resulting in forfeiture. The growth in international forfeiture activity was particularly dramatic, with more than \$34 million recovered from foreign countries for forfeiture in the United States; almost \$10 million of this was shared last year with five different cooperating foreign governments.

The increase in international law enforcement cooperation being engendered through the sharing program is proving most useful in confronting the global nature of drug trafficking. Specific examples of the progress made along this line during 1993 include the following:

- In May, the U.S. and Egypt signed the first letter of agreement to share seized drug assets. The agreement stipulates that shared funds will go to promote law enforcement efforts to control and eliminate drug trafficking. Asset sharing has motivated Egypt to cooperate in other areas.
- On July 27, 1993, the Socialist Republic of Vietnam People's Republic (SRVPR) agreed to a DEA request to transfer custody of an FBI fugitive from Vietnam to DEA officials in Bangkok, Thailand. The SRVPR also initiated Vietnam's first asset seizure, which was comprised of four

pieces of real estate with a combined value equivalent to approximately \$500,000 in U.S. currency.

- The Swiss government turned over to the U.S. nearly \$40 million in seized drug profits arising from several cases. The assets were derived from several cases in the United States, and half were designated to be shared with Switzerland.

In addition to attacking crime at its economic base and providing additional resources to law enforcement, 1993 saw the increasing use of forfeiture to support drug and crime prevention and community development programs. Localities and non-profit corporations received 12 forfeited real properties under the "Weed and Seed" program to be used in support of community-based programs ranging from youth centers to public housing.

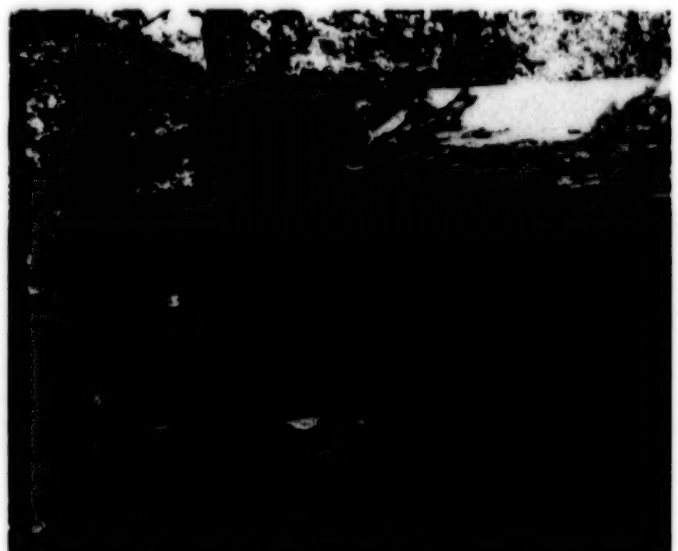


*Lake Careco, a five acre lake, and one of the two houses located on 36 acres surrounding the lake. The property was seized and forfeited after the owner-defendant was found to be growing marijuana plants on the property. The property has been deeded over to the Georgia Sheriffs' Youth Homes, a non-profit organization, for operation as an education center.*

## *Demand Reduction Efforts*

The Department has committed itself to playing a stronger role in crime prevention by better educating children and adults on the harm caused by drug abuse. Consistent with that approach, Department organizations began additional programs during 1993 to provide treatment to drug abusers, including more widespread use of community support programs so that abuse-free lives might be more likely maintained.

**Education:** The National Citizens' Crime Prevention Campaign continued during 1993 under a cooperative agreement between BJA and the National Crime Prevention Council. The campaign provides public service advertising and informational materials, as well as technical assistance and training, to foster local crime prevention and drug demand programming. Major new materials include: Finding Funds and Building Support for Community Crime Prevention; El Libro de McGruff, drug prevention activities in English and Spanish for elementary school students; and, Sending Kids into a Safer World, a kit developed for Crime Prevention Month in October.



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**Treatment:** Recent surveys indicate that about 30 percent of all offenders in the Federal prisons have moderate to severe drug or other substance abuse histories, and would potentially benefit from treatment of one type or another. In recent years, the Bureau of Prisons (BOP) has totally redesigned its drug treatment programs with the help of the National Institute on Drug Abuse.

As a result of this reassessment, BOP has developed a Drug Abuse Treatment Program that addresses inmate drug abuse by attempting to identify, confront, and alter those inmate attitudes, values, and thinking patterns that lead to criminal and drug-using behavior as well as the angry, often violent actions that become an increasingly large part of that lifestyle. The current program includes an essential transitional component that continues with the inmates as they return to their home communities. BOP intends to fund a long-term follow-up evaluation of this program that should prove invaluable in guiding the development of future programs.

During this past year, the Bureau of Justice Assistance (BJA) expanded its Correctional Options Program, which assists State and local efforts to implement a range of intermediate sanctions as alternatives to traditional incarceration. Options include community-based incarceration, weekend incarceration, boot camp prisons, electronic monitoring, intensive probation, and other innovative sanctions. The goal of these programs is to provide offenders with the opportunity for rehabilitation through treatment for drug use, vocational and educational training, and other services. During 1993, BJA made awards for demonstration programs in six additional sites and for boot camps in three sites.

## Organized Crime

In 1993, the Department continued its efforts to eliminate the many criminal enterprises of the La Cosa

Nostra (LCN) families and their associates. The Department also took the offensive in attempting to end the illegal activities of other organized crime groups operating in the United States.

As an indication of increased success toward this goal, two LCN bosses, two underbosses, and seven capodecimas were convicted of racketeering-related charges. There were two bosses, two underbosses, one consigliere, and 18 capodecimas indicted. Significant LCN indictments and prosecutions in 1993 included:

- Spyredon Valentzas, an associate of convicted Gambino family boss John Gotti and himself the boss of a powerful group of organized criminals operating in the Greek communities of New York, was sentenced to life in prison after his conviction in the Eastern District of New York on RICO, illegal gambling, loansharking, and tax fraud charges.
- Ten members of the Persico faction of the Colombo family "hit team" were convicted of Federal racketeering and weapons violations and sentenced to prison terms.
- In Fort Lauderdale, Florida, the DEA, FBI, and U.S. Coast Guard participated in an investigation into a marijuana trafficking organization controlled by members and associates of the New Jersey-based Luchese organized crime family. Using maritime controlled deliveries from Colombia to the U.S. via Haiti under DEA Operation Yankee Trader II, a total of 40,000 pounds of marijuana was seized and six defendants arrested.

The Tax Division, the FBI, and the Criminal Investigation Division of the IRS conducted joint investigations to uncover and prosecute widespread evasion of Federal motor fuel taxes, much of it by organized crime syndicates. Revenue losses from

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these types of schemes are estimated to exceed \$1 billion annually. Evidence indicates that the Colombo, Luchese, Genovese and Gambino organized crime families, as well as elements of Russian-emigre organized crime, are involved in this activity. Nationwide during 1993, the Department had over 130 active investigations in 18 cities targeting this type of crime.

In attacking labor racketeering, the civil provisions of the RICO statute have been utilized to remove the LCN influence from several labor unions. By the end of September, 1993, the post-judgment action in the landmark International Brotherhood of Teamsters (IBT) civil RICO case had resulted in a total of 214 individuals and three IBT locals being charged in the enforcement phase of this case. The civil provisions of the RICO statute were also used to attack LCN control of the carting industry on Long Island, New York, and the hotel and restaurant industry in New York City.

Due to the increased activity between the LCN and Italian Organized Crime (IOC) groups, such as the Sicilian Mafia, the Department is continuing to work with the Government of Italy through a variety of avenues, including the Italian American Working Group. In the wake of a rash of bombings throughout Italy during the summer of 1993, the FBI provided technological assistance in support of subsequent investigations. The FBI is also working closely with Italian law enforcement authorities to identify IOC members and determine the nature and scope of their criminal activities in the United States.

The Department also responded to the growing challenge from other organized crime groups of various backgrounds throughout the United States. Significant actions against these other groups in 1993 included the following:

- Indictments in San Francisco of 19 members and associates of an international criminal enterprise, including the lead defendant, Raymond Chow, the alleged West Coast leader of the Wo Hop To, a Hong Kong-based Triad. The charges included

arson, conspiracy to murder, distribution of heroin and cocaine, loansharking, illegal firearms trafficking, and the brutal beating of a young girl believed to be cooperating with law enforcement authorities.

- Indictments against 18 leaders of the New York-based Fuk Ching Gang, the group believed to be responsible for most of the smuggling of Chinese aliens into the United States. The defendants were charged with RICO and other offenses, including three murders, several murder conspiracies and attempted murders, kidnappings, extortions, robbery, and alien smuggling.

## Political Corruption

During 1993, the Department continued to aggressively attack public corruption at all levels of government. Investigations conducted by the FBI in 1993 resulted in almost 400 informations and indictments, nearly 300 convictions and pretrial diversions, and \$22 million in fines, recoveries, and restitutions.

Some of the more notable convictions obtained by Department prosecutors in 1993 were:

- Fourteen convictions, including 11 current or former State legislators, in connection with Operation Boptrot, an ongoing investigation of corruption in the Kentucky legislature.
- The conviction of former U.S. Congressman Albert G. Bustamante of San Antonio, Texas, on charges of conducting the affairs of his congressional office through a pattern of racketeering activity consisting of bribery and accepting an illegal gratuity. Bustamante was sentenced to 42 months of imprisonment, two years of supervised release, and a \$55,000 fine.



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- Seven convictions in Operation Byte, an ongoing investigation of a scheme to manipulate the Immigration and Naturalization Service's computer system to obtain lawful permanent resident status for illegal aliens.

## White Collar Crime

The Department's investigators and prosecutors focused much effort during 1993 on several areas of white collar crime that have a particularly insidious and costly effect on American citizens. These areas included an assortment of complex fraud schemes, violations of tax and trade laws, anti-competitive price fixing deals and other antitrust-related crimes.

Combatting fraud in the health care industry was one of the Department's top priorities, as was evident from a dramatic upswing in the FBI's commitment of investigative resources to this problem. Specifically, the number of the FBI's pending health care cases increased from 657 to 1,051 and convictions nearly tripled, from 115 to 327. Both the Civil and the Criminal Divisions used the FBI's varied expertise to focus on large health care corporations with facilities across the country.

Some of the more notable 1993 accomplishments in this area included the following:

- Securing the largest settlement (\$100 million) ever recorded for a health care fraud case, which involved the California-based National Health Laboratories charged with manipulating doctors into ordering medically unnecessary blood tests and then improperly billing Medicare for the services.
- Recovery of \$27 million from Provident Life and Accident Insurance Company, a major employer group health insurer. This was part of a recovery of payments made by Medicare that should have

been paid for under Provident employer sponsored group health plans.

- Recovery of \$61 million in the largest case ever jointly handled with the Food and Drug Administration (FDA). Company officials of C.R. Bard, Inc., one of the Nation's largest manufacturers of health care products, agreed to plead guilty to 391 counts of fraud and human experimentation for selling untested heart catheters. The use of the devices had resulted in at least one death and 22 emergency heart surgeries.

The Department's aggressive enforcement actions and cooperation in regulatory reform in this area have served to put all parts of the health care industry on notice that illegal and unscrupulous schemes in the conduct of their business will not be tolerated.

In another example along this line, the Department's Civil Division continued its crackdown on generic drug manufacturers who intentionally deviate from approved pharmaceutical formulas and submit fraudulent records to the FDA. Last year, 19 persons were sentenced for their roles in such activity. Also, working in cooperation with the FDA, the Department negotiated a consent decree with the American Red Cross to ensure implementation of strict quality assurance procedures guaranteeing the safety of the Nation's blood supply. The terms of this decree have since been used by the FDA as a model to mandate similar management controls on all blood collection, processing, and distribution firms.

Many successful prosecutions were also completed in countering significant instances of fraud directed against employee benefit plans, bankruptcy estates, and matters related to tax filings. Of special note in this latter area, the Department's Tax Division not only intensified its prosecutions of willful non-filers, but it also worked actively to combat criminal exploitation of the IRS's new electronic tax filing system. It is estimated that these schemes involve over 12,000

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returns with more than \$32 million in false refund claims. In the largest case to date, 24 individuals were convicted in several trials held during the past year in Houston, Texas, for orchestrating such a scheme. The sentences given ranged from 18 to 52 months in prison.

Through its Affirmative Civil Enforcement (ACE) program, the Department has found more efficient and less bureaucratic ways to serve customers of Federal programs. Department attorneys are working with Inspectors General from the Federal Emergency Management Administration, the Department of Housing and Urban Development, and the Small Business Administration to obtain case referrals. In 1993, for every dollar spent on the ACE program, approximately \$20 was returned to the Treasury. Although U.S. Attorneys' Offices recovered approximately \$60 million in this way in 1993, of equal importance was the program's deterrent effect on fraud in areas such as education, small business loans, and food stamps.

Finally, many successful prosecutions were completed against individuals who violated trade laws. The Department:

- Convicted three Chinese nationals on charges of exporting image intensifier tubes for night vision equipment on military aircraft and vehicles to the People's Republic of China. The court also ordered the forfeiture of \$460,000 and the equipment used in the illegal enterprise.
- Obtained a guilty plea from Baxter International, Inc., to a charge that it furnished information to the Arab League boycott authorities in an effort to obtain removal from the League's list of boycotted companies. Baxter paid \$6.5 million in criminal and civil fines, the largest penalty ever imposed for such violations.
- Obtained guilty pleas from Bajro Hukic and several co-defendants to charges of exporting over

300 handguns from the United States to Croatian forces in the former Yugoslavia.

## Financial Institution Fraud

The continuing crises in our Nation's financial institutions caused Congress, in 1990, to establish the position of Special Counsel for Financial Institution Fraud. The Special Counsel is appointed by the President and reports to the Deputy Attorney General. The Special Counsel supervises and coordinates the investigation and prosecution of frauds in our Nation's financial services industry, uses Federal laws to recover monies illegally obtained through those frauds, and ensures that adequate resources are made available to pursue the perpetrators of those frauds. In 1993, the Special Counsel worked with the Department's investigative and litigative components in a concerted effort to combat financial institution fraud.

Through its United States Attorneys' Offices; the Criminal, Civil and Tax Divisions; and the Federal Bureau of Investigation, the Department is aggressively prosecuting individuals responsible for victimizing federally insured financial institutions and is pursuing restitution and other means of recovering assets lost through fraud. Since October 1, 1988, to the end of 1993, in financial institution fraud cases that the Department classifies as major — those, for example, involving officers or directors, or owners, or in which over \$100,000 in losses have occurred — the Department has brought charges against 4,604 defendants and has obtained 3,800 convictions. Defendants have received prison sentences in 77 percent of these cases. Successful prosecutions include:

- In the Central District of California, Steven Wymer was sentenced to 14 1/2 years imprisonment and to pay \$92 million in restitution following his pleas of guilty to bank fraud and other charges. Over a five year period, Wymer, as an investment advisor, bilked clients, including

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financial institutions in several States, out of more than \$100 million. Under his plea agreement, Wymer agreed to forfeit personal assets, including five homes and properties, 12 luxury and classic cars, and artwork — valued at approximately \$9 million.

- In the Northern and Eastern Districts of Texas, the Dallas Bank Fraud Task Force continued to achieve important convictions, including the conviction of Thomas Merrill Gaubert, formerly the owner of Independent American Savings Association, on all ten counts of an indictment which included charges of concealing assets from the Federal Deposit Insurance Corporation (FDIC), bankruptcy fraud, and money laundering. He was sentenced to five years' confinement and ordered to pay \$333,698 in restitution. The Task Force has brought criminal charges against 252 defendants and has obtained 207 convictions since its creation in August 1987.
- In a signal achievement in the BCCI investigation, the Special Counsel announced that the ruling family of Abu Dhabi withdrew its claims to more than \$400 million in BCCI-related assets in the United States in compliance with one of the key elements of a settlement agreement between Abu Dhabi and the United States. Significant 1993 achievements in the BCCI investigation included, in the Northern District of Georgia, the conviction of conspiracy and tax fraud of William Batastini, formerly chief financial officer and a director of National Bank of Georgia, and the opening of the criminal trial in the Southern District of Florida against David L. Paul, former chairman and chief executive officer of the failed CenTrust Bank of Miami. Batastini was sentenced to 18 months confinement, fined \$50,000, and ordered to pay \$36,657 restitution and \$46,575 court costs. Paul, following his conviction,

pleaded guilty to additional charges, thereby admitting that he operated CenTrust as a racketeering enterprise and that he conspired to use BCCI as a nominee purchaser of CenTrust-issued securities in an effort to deceive and defraud Federal banking regulators and CenTrust investors.

## Antitrust

The Department placed renewed emphasis last year on all aspects of antitrust enforcement. In addition to bringing major criminal and civil cases, the Department took proactive steps to encourage persons injured by antitrust violations to bring them to the attention of the Department. These steps will enable the Department to brief more and larger cases, and will benefit America's consumers from increased enforcement activity. In addition, and as will be described separately, a series of antitrust reform initiatives were undertaken that will result in more open competition and better protection for the entire public.

### *Enforcement Focus*

Hard core antitrust violations such as price fixing, bid rigging, and market allocation agreements among competitors, are costly to consumers and are felony violations of the Sherman Act. The Department's Antitrust Division heightened its efforts against such illegal and anti-competitive business practices in 1993, filing 83 criminal cases against 112 defendants and obtaining a record amount of fines, \$42.2 million, substantially above the previous record of \$36.7 million. In addition, 26 individuals were sentenced to serve a total of 6,682 days in jail — a powerful deterrent to business executives who may be considering illegal conduct.

In related areas, Department attorneys undertook very significant civil actions, such as a price-fixing case against eight major airlines, as well as the first resale price maintenance case in over a decade.



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## *Reforms to Enhance Competition*

A second major feature of the Department's antitrust program last year was the initiation of aggressive steps to preserve competition and protect consumers while at the same time eliminating unnecessary costs to American businesses. An important component of that effort was clarification of the Department's enforcement intentions so that it is less costly for businesses to comply with the antitrust laws. The Department gave particular focus this past year to the areas of health care, vertical arrangements, mergers, and criminal enforcement.

Specifically, as part of the Administration's plan to promote health care quality and lower related costs, the Department, in conjunction with the Federal Trade Commission, issued six Statements of Antitrust Enforcement Policy in the Health Care Area in September 1993. These Statements are designed to provide increased information to the health care community, resolving uncertainties that might deter beneficial mergers or joint ventures that promise to reduce health care costs. At the same time, the policy underlying the Statements will continue to protect consumers against anticompetitive activities. Importantly, the Statements also embody a public commitment to swift and certain expedited review for specific health care joint activities in order to reduce antitrust uncertainty and be responsive to the health care community.

The Department also recognizes its important responsibility to help individuals and businesses understand and comply with antitrust laws. Toward that end, the Department withdrew its outdated Vertical Restraints Guidelines and established a pilot program designed to expedite the business review program. Under this program, persons planning to undertake certain business conduct provide the Department with specified information about the conduct and request a statement of the Department's antitrust enforcement intentions. The Department is committed to make its best efforts to respond within 60 to 90 days.

Finally, the Department has placed increased emphasis on discovering and prosecuting major criminal antitrust conspiracies that harm large numbers of consumers. One aspect of this effort has been the revision of the Antitrust Division's Criminal Leniency Program. The program was revised to allow leniency to corporations that come forward after the initiation of an investigation if the cooperation advances the investigation. By broadening the circumstances in which leniency is offered, more corporations will be induced to come forward and report antitrust violations.

These steps have enabled the Department to be more productive and effective in enforcing the Nation's antitrust laws, while responding to the legitimate concerns of business and protecting the consumer.

## *Federal Prisons*

During the past decade, the Federal detainee and prison population has experienced unprecedented growth as a result of expanded Federal law enforcement initiatives. This rapid growth has confronted the Department with the challenge to ensure the safe and secure confinement of individuals in its custody. This challenge falls on the U.S. Marshals Service (USMS), which is generally responsible for pretrial and presentenced prisoners, and the Bureau of Prisons (BOP), which houses sentenced inmates.

In 1993, the USMS had nearly 20,000 pretrial prisoners in its custody every day in State and local jails or BOP facilities. In addition to housing prisoners, the USMS transported them over 500,000 times to court appearances in 450 locations, including 280 court cities. To reduce security risks and manpower requirements, new videoconferencing technologies were used to link detention facilities with courthouses.

The National Prisoner Transportation System handled more than 188,000 prisoner movements in 1993. Over 54,000 were via USMS-owned or operated jet aircraft. The USMS possesses the expertise and experience to coordinate large scale prisoner transportation

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activities resulting in huge cost savings to the Government. During 1993, over \$2 million in prisoner transportation costs was saved through the use of a Centralized Ticketing Program.

At the close of 1993, BOP had 84,854 inmates in its custody — compared to 73,491 in September 1992. Of the 1993 population, 13.6 percent were violent offenders (convicted of robbery or other violent crimes), 60.9 percent were drug offenders, and one percent were serving sentences for white-collar offenses. Approximately 41 percent were repeat offenders, 25 percent were non-U.S. citizens, and 7.6 percent were women.

The Bureau of Prisons continued the largest expansion program in its history. During 1993, the BOP opened facilities in Manchester, Kentucky; Allenwood, Pennsylvania; Florence, Colorado; Fort Dix, New Jersey; Guaynabo, Puerto Rico; and Estill, South Carolina. In addition, the Federal prisons at Fort Worth and El Paso, Texas; Tallahassee, Pensacola, and Miami, Florida; Lewisburg, Pennsylvania; Safford,

Arizona; and Millington, Tennessee, were expanded. In total, about 9,100 beds were added in 1993.

Moreover, nearly 38,000 beds are under some phase of development or construction and should be ready by the end of 1997.

For 1993, the Congress appropriated resources that will allow the Bureau to further increase capacity by almost 3,900 beds. Included are the construction of secure facilities at Yazoo City, Mississippi, and Forest City, Arkansas, and the acquisition and expansion of a U.S. Army Medical Center at Fort Devens, Massachusetts.

A major BOP goal is to continue to expand the capacity of the Federal prison system to keep pace with projected increases in the inmate population and simultaneously to reduce the pressure of inmate crowding. During 1993, crowding in the Federal prison system decreased from 46 to 39 percent. With the capacity expansion plan in place, crowding should continue to decrease, reaching 14 percent by the end of 1997.

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# Chapter II - Supporting America's Police Officers

*Goal: Provide the maximum possible amount of support and cooperation for the men and women of America's police departments.*

State and local police officers are the front line in the battle against crime. In 1993, the Department undertook a number of initiatives to assist communities by putting more police on the streets of our Nation and by ensuring that Federal investigative training and assistance was available when needed.

## Hiring More Police Officers

In July 1993, Congress approved a \$150 million supplemental appropriation to the Edward Byrne Discretionary Program, creating the Police Hiring Supplement Program. The Attorney General stated that the grants awarded through the program — targeted to encourage the institution of community policing — “will help law enforcement agencies take a new approach to fighting crime by building partnerships with community groups and residents.”

Shortly after the President signed the 1993 supplemental appropriation, the Department formed a Police Hiring Task Force to begin the process of selecting law enforcement agencies that would be awarded grants. The Task Force developed and implemented a fair and efficient process for distributing the funds for police hiring, and the first round of grants was announced. The Attorney General stated that “The grants we have awarded . . . will help American cities, large and small, by not only increasing their police forces, but also by creating partnerships with communities to solve their unique crime problems.” Seventy-four jurisdictions, located in 31 different States, received awards in the first round. They included 70 police departments, two sheriffs’ departments, one Native American tribe, and one consortium of law enforcement agencies. The funds are being awarded on a competitive basis to pay

the salaries and fringe benefits of approximately 2,100 additional law enforcement officers over a three-year period.

## Encouraging the Use of Community Policing Strategies

One of the most promising and exciting law enforcement strategies is community policing. Community policing serves as the bridge between law enforcement and the neighborhoods and streets where crime occurs. Under community policing, law enforcement officers forge close relationships with community residents and work with them to develop solutions to violent and drug-related crime.



Denver Community Police Officers Teresa Garcia, Tony Lopez, Les Perry and Dan Castro

In support of this strategy, the Department provided financial and technical assistance to localities to encourage them to implement community policing:

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- The Bureau of Justice Assistance (BJA), through its Community Policing Demonstration Program, tested a comprehensive approach to community policing in five sites. Each site is using a framework developed for BJA by a consortium comprised of representatives from the International Association of Chiefs of Police, the National Sheriffs' Association, the Police Executive Research Forum, and the Police Foundation.
  - Community policing is a key element of the Weed and Seed Program that is underway in 20 cities funded by the Department of Justice and in approximately 40 other cities implementing the Weed and Seed Strategy. As part of the Weed and Seed effort, BJA and the Department of Housing and Urban Development are funding a training and technical assistance program on community policing in public housing. The training will bring together persons living and working in public housing to collectively identify challenges to public safety and ways to meet these challenges.
  - The National Institute of Justice (NIJ) continued to assess community policing efforts and provide information on what works and what does not work to the research and practitioner communities. An NIJ-sponsored national conference, "Community Policing for Safe Neighborhoods: Partnerships for the 21st Century," brought together police executives and academics to review the state-of-the-art in community policing. Promoting fuller participation by the community in public safety is a major aim of an ambitious NIJ project underway with the Los Angeles Police Department. The program involves profiles of specific neighborhood needs, citizen advisory councils, and joint police-community training in resolving problems.
  - The Department's Community Relations Service continued to provide training and technical assistance to police departments that are implementing community policing approaches. In addition, it revised its publication Principles of Good Policing: Avoiding Violence Between Police and Citizens to reflect this new emphasis.
- ## Controlling the Proliferation of Dangerous Weapons
- In 1993, the proliferation of dangerous weapons continued to be a serious threat to the safety of America's police officers and the public. As part of the Administration's commitment to reducing gun violence, the Department led the effort to secure passage of legislation that will implement procedures to reduce the availability of guns to persons with criminal backgrounds. A major legislative initiative, the Brady Handgun Violence Prevention Act, was signed by President Clinton in 1993. The legislation will keep handguns out of the hands of criminals by providing for a five-day waiting period before a handgun may be purchased from a licensed dealer in order to allow the dealer to conduct a background check on the prospective purchaser. The law also requires the establishment of a national instant criminal background check system.
- Successful implementation of the Brady Bill as well as other measures to control the use of firearms by wrong-doers depends in large part on the ability to obtain and share information on criminal histories. Toward that end, the Bureau of Justice Statistics continued a major program to improve the quality of State criminal history records as part of an effort to establish a national system for checking criminal records at the time a firearm is purchased. This included providing final year funding to States under the Criminal History Record Improvement (CHRI) program to make systemic improvements in the quality and timeliness of





*President Clinton signing "The Brady Handgun Prevention Act." Among those present at the ceremony were Vice President Gore, Attorney General Reno and Jim and Sarah Brady.*

State criminal history record information nationwide, with particular emphasis on improving disposition reporting to the State's central repository. All 50 States, the District of Columbia, and two territories received funding under the CHRI program.

The FBI's Felon Identification in Firearms Sales (FIFS) program allows States to enter felony conviction flags into the FBI's Interstate Identification Index (III). Authorized agencies throughout the country use the III to check for disqualifying information on prospective firearm purchasers. Inquiries are based on the prospective purchaser's name, date of birth, race,

sex, and social security number. In December 1992, the Virginia State Police set the first status flags in the national index enabling authorized criminal justice agencies in all States to have access to the information through the use of a new access code. Following an evaluation of the FIFS program, in 1993 additional States began furnishing their felony conviction flags.

At the same time, the Department took action to stop illegal trafficking in firearms. In coordination with the Department of the Treasury, BJA initiated a Firearms Trafficking Control Program that supports two pilot efforts. The Virginia Firearms Investigative

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Task Force is designed to improve State, local, and Federal coordination in the investigation and prosecution of interstate firearms trafficking organizations. The program was initiated in Virginia because Virginia has been identified as a major source of firearms for criminal offenders in Washington, D.C., and New York. The other pilot project is the New York City Police Department Firearms Licensee Compliance Program. It conducts comprehensive background investigations on applicants for new or renewed Federal Firearms Licenses (FFL), discourages applicants from pursuing the FFL until they are in compliance with local laws, and tracks deliveries of firearms inside New York City.

## Coordination of Federal, State, and Local Law Enforcement Efforts

An effective attack on crime requires the concerted efforts of all law enforcement agencies—Federal, State, and local. In 1993, as in past years, the Department provided both leadership and support to the intergovernmental law enforcement community in a number of ways. Examples include the following:

- The U.S. Attorneys promoted coordinated efforts in their districts through the Law Enforcement Coordinating Committees (LECCs) that they have established. The LECCs brought together Federal, State, and local law enforcement personnel to discuss issues of common concern and agree upon cooperative strategies. In addition, LECCs provided training, worked on victim/witness issues and assisted in the formation of joint operations.
- The Department continued to rely heavily on the use of intergovernmental task forces to combat pressing crime problems. DEA and the FBI have sponsored more than 100 such task forces to combat drug trafficking, street crime, and gang-related violence. In addition, the majority of OCDETF investigations involved State and local law enforcement personnel as well as Federal agents.
- In 1993, the FBI's National Center for the Analysis of Violent Crime handled over 10,000 cases, including requests from Federal, State, and local law enforcement agencies for operational support. The FBI's Criminal Justice Information Services Division processed 8,185,113 fingerprint cards that resulted in 3,407,172 identifications being made against existing records.
- Both the FBI and DEA provided training to State and local law enforcement officers. Nearly 1,000 State and local officers graduated from the FBI National Academy in 1993 and another 6,000 received training in executive, forensic, and other specialized areas. The DEA conducted 61 Basic Drug Law Enforcement Schools throughout the United States, training about 2,500 officers in narcotics enforcement. DEA also provided advanced and specialized training on such topics as undercover operations.

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# Chapter III

## Protecting America's Children

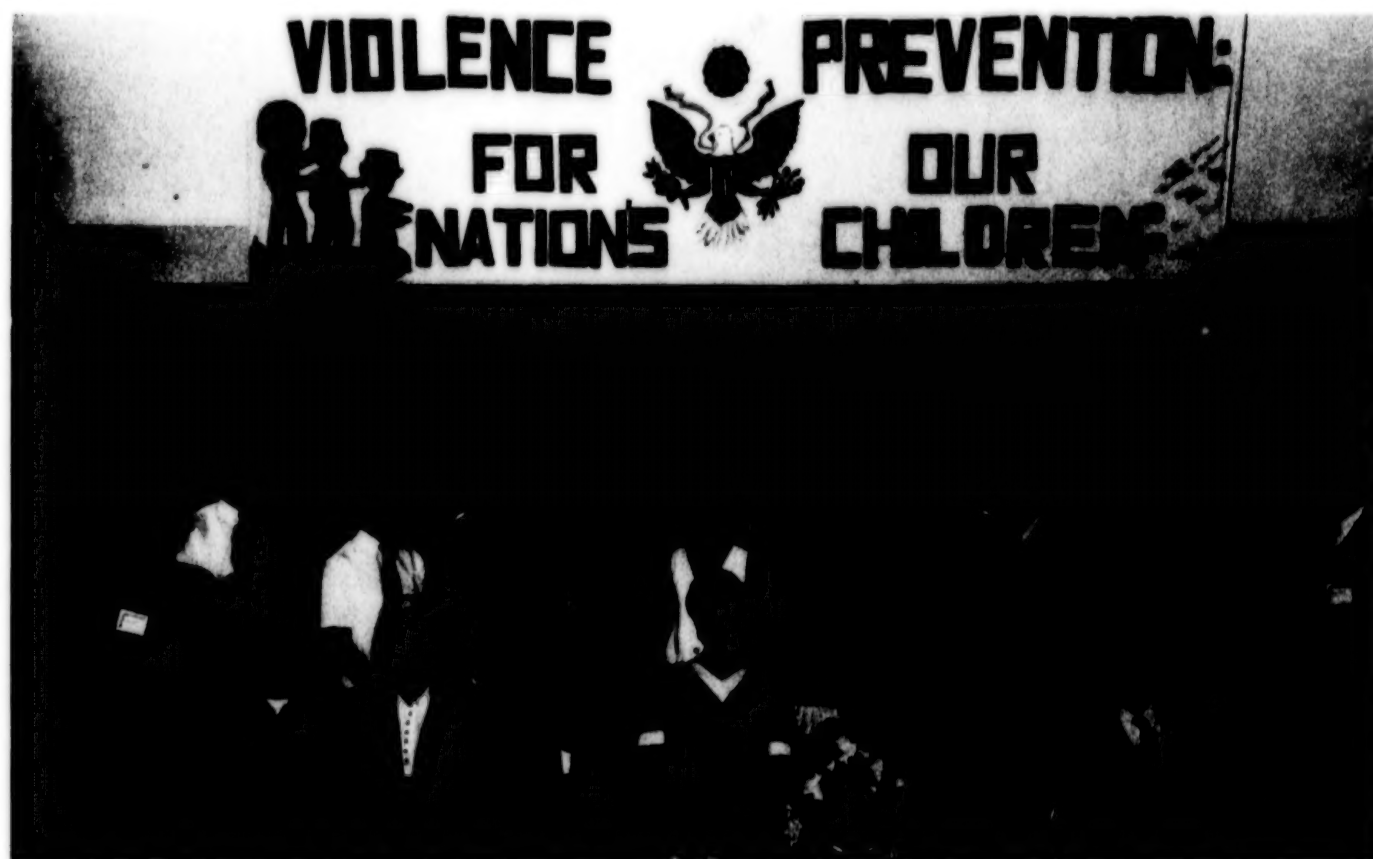
*Goal: Attack crime and drug addiction at their roots by giving every child a strong start in life.*

There is always a gap between the potential of each child and the extent to which that potential is realized. The perception that in too many cases the gap is widening into a gulf has alarmed the American people.

From its perspective as the Nation's chief law enforcement agency, the Department of Justice is committed to protecting each child's right to grow up healthy, in a safe, drug-free environment. Seeking to

fulfill that commitment required action on a number of fronts during 1993. Some initiatives generated immediate results, while others served to create a better-defined focus on youth for the years ahead.

The justice system traditionally operates in a reactive mode, continually dealing with the failures of society's many other support systems. History suggests that this has not been an altogether successful role, and that a more proactive approach is needed. Changing gears will not occur easily because establishing a pattern of law-abiding behavior can be very difficult for young people who confront so many competing forces during their formative years.



Attorney General Reno meets with participants at the forum on "Safeguarding Our Youth: Violence Prevention for Our Nation's Children."

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## Learning What Works

In many areas there continues to be a serious lack of basic knowledge about what works best in prevention planning and the design of effective intervention strategies. To correct that problem, various Department organizations, often in close consultation with other Federal agencies, sponsored a wide variety of research, experimental projects, and training seminars in 1993 specifically targeting the problems of today's youth. One of the most significant efforts along this line involved the convening of a major national forum in Washington, D.C., last July to discuss the impact of violence on our Nation's youth and the need for comprehensive prevention programming. Almost 300 parents, educators, researchers, community organizers, youth service providers, and young people met for two days in small working groups to recommend specific actions that community organizations and local, State, and Federal agencies should take to curtail violence.

In addition to these types of conferences, which stimulate a healthy exchange of practical and innovative ideas, much attention is being given to research efforts that will guide future intervention strategies. Sponsored by the Office of Juvenile Justice and Delinquency Prevention (OJJDP), one long-term project is more clearly defining the relationships between violent behavior by urban youth and such factors as abuse or neglect, weak family ties, drug or alcohol use, poor school performance, and gang membership. Results of that research were distributed at the Washington, D.C., forum referenced above.

Another major project now underway, funded by the National Institute of Justice (NIJ), is intended to discover what first prompts youngsters to engage in antisocial or delinquent behavior, what encourages many to continue, and what convinces some to stop. By mapping the early influences and life circumstances, this project expects to pinpoint transition states where intervention efforts could make a difference.

These are examples of how research can provide useful guideposts for community-based programming.

Beyond maintaining a strong research program during 1993, the Department augmented the search for what works best regarding at-risk youth by supporting a wide range of demonstration projects. These projects, often funded in conjunction with private service foundations, hold the promise of positive results and are undergoing an invaluable reality test before being recommended for broader implementation. Three noteworthy undertakings actively pursued during 1993 were the following:

- **Cities in Schools program**, an OJJDP sponsored program, that develops public and private partnerships to provide services through schools to young people for the purpose of preventing youths from dropping out of school, substance abuse, illiteracy, teen pregnancy, suicide, and school violence. In 1993, there were 84 such programs serving 166 communities in 25 States, and more than 86,000 young people were served.
- **Children-at-Risk program**, that is testing a specific intervention strategy for reducing and controlling illegal drug use and related crime in target neighborhoods, while fostering healthy development among high-risk pre-adolescents who reside there. In 1993, six demonstration sites brought together local organizations to deliver coordinated services to high-risk youth ages 11 to 13.
- **Boys and Girls Clubs Gang Prevention and Intervention program**, funded by OJJDP, that is designed to meet the complex needs of children and families in public housing through activities designed to prevent youth from becoming involved in gangs and by intervening where appropriate to turn gang members to constructive activity.

Using demonstration programs selectively in 1993 allowed more efforts to be targeted at specific



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problems and tentative solutions that had been documented by previous research. Examples of this approach include the following:

- OJJDP began an initiative designed to improve the quality of care for Native American youth entering the juvenile justice system. This program is designed to provide community-based alternatives on Indian reservations where studies showed that disproportionate numbers of Native American youth are being incarcerated in adult facilities.
- Similarly, NIJ funded a unique and highly-acclaimed "Girl Scout troop behind bars" program for daughters of incarcerated women. Studies had shown that youngsters whose mothers are imprisoned have high levels of stress, face frequent problems with school and learning, and are two to six times more likely than other children to become offenders themselves.

Projects such as these suggest that positive actions are likely to evolve as researchers, practitioners, and interested citizens come together to learn what works best for different target populations.

- OJJDP's Serious Habitual Offender Comprehensive Action Program (SHOCAP) provides training and technical assistance to local communities to increase cooperation among police, probation officers, prosecutors, courts, corrections, parole officers, detention facilities, schools, and family and youth services. Its goal is to enable these agencies to share more information about juveniles who repeatedly commit serious crimes and to make more informed decisions regarding such youths.
- The Satellite Prep School Program and Early Elementary Schools for Privatized Public Housing is a collaborative effort among OJJDP,

the Chicago Housing Authority, and the Westside Preparatory School and Training Institute to establish a kindergarten to 4th grade Prep School on the premises of the Ida B. Wells Housing Development for children living in this public housing development. The Wells Prep School opened with kindergarten and first grade students on September 14, 1992. The 1993 funding provided support for the kindergarten and 1st grade and the addition of the 2nd grade. The Prep School operates as an early dropout intervention educational model based upon the Marva Collins Westside Preparatory School educational philosophy, curriculum, and teaching techniques.

## Ongoing Prevention and Early Intervention Programs

The Department's components did not limit themselves during 1993 to broadening the knowledge base about troubled or at-risk children. In fact, many prevention or early intervention activities were continued and expanded last year.



*The Denver Weed and Seed Front Rangers Cycling Club participated in a 15-mile bike ride during the "Kops & Kids" Day, an event sponsored by the Denver District Attorney's Office and the Denver Police Department.*

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One of the most widespread prevention efforts supported by the Department is the Drug Abuse Resistance Education (DARE) program. This initiative, largely underwritten with Bureau of Justice Assistance (BJA) funds, helps children at all grade levels resist peer pressure to experiment with and use drugs. DARE teaches young people about the effects of drug use and helps them develop decision-making skills and the motivation to employ these skills to avoid drugs. More than 25 million elementary and junior high school students received this training last year.

The Drug Enforcement Administration (DEA) continued a strong leadership role in helping guide youth toward a drug-free life. It again joined with the National High School Coaches Association in conducting three-day seminars at which coaches, administrators, and guidance counsellors prepare for active drug prevention roles in their communities. The 1993 training focused on ways to enlist the athletes themselves as a cadre for solidifying school attitudes against substance abuse. In addition to this annual effort, DEA personnel directed increased attention to forging mentor programs with schools in a number of cities, such as Detroit's Hubert Elementary School (a site visited by the Attorney General this past year).

Another Department undertaking that demonstrates how close the nexus can be between enforcement and prevention activity is the Office of the Deputy Attorney General's Weed and Seed program. Following joint Federal and local enforcement action to rid targeted areas of crime and illegal drugs, many of the demonstration sites, are now moving to reinvigorate these areas with a variety of prevention, treatment, and intervention services. During 1993, cities such as Atlanta, Philadelphia, Denver, and San Antonio were reporting enthusiastic community participation. This resulted in the creation of many innovative youth-oriented activities, such as a Midnight Basketball League and local bicycling clubs, as well as a variety of other services, such as health visits through mobile medical units and expanded nutrition programs for children.

The Safe Havens program is funded by the Bureau of Justice Assistance (BJA). Safe Havens are secure and easily accessible neighborhood-based multi-service centers which provide a variety of youth and adult services in a coordinated manner. Safe Havens were created in 20 Weed and Seed sites to serve as the focus of the seeding efforts in the target neighborhoods. The Department of Justice was joined in this initiative by the Department of Education and the Department of Housing and Urban Development. Each Safe Haven site received over \$90,000 in 1993 to begin operations and leverage resources from the State, city and private resources to implement youth and adult programs. During 1993, the average monthly attendance at each of the 15 operational sites totaled 355 youths and adults. As the programs mature and the remaining 5 sites become operational, this figure is expected to double.

The development of partnerships among Federal agencies has taken the form of such recent Departmental initiatives as Project PACT: Pulling America's Communities Together. Project PACT grew out of the Interdepartmental Working Group on Violence, formed as a joint effort by multiple Federal agencies to complement the Administration's law enforcement proposals by focusing on violence prevention measures. Focused on four jurisdictions, Project PACT empowers communities to reduce crime and violence. Through Project PACT, the Federal Government will vigorously foster and support the development of broad-based, fully-coordinated local and statewide initiatives that work strategically to secure community safety. Two key principles animate this Project. First, local communities, not the Federal Government, will play the lead role in crafting solutions to address local problems. Second, government actors at all levels must establish truly coordinated and multi-disciplinary approaches.

The U.S. Attorneys' Offices and the Department's legal divisions also made contributions during 1993 in pursuit of the overall goal of better protecting

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America's children. For example, the Civil Division continues to be an indirect, yet critical player in ensuring the widespread availability of immunizations against infectious diseases for our Nation's children. Specifically, the Civil Division maintains a dedicated litigation group to support the National Vaccine Injury Compensation program and its related Trust Fund, thereby helping ensure that vaccine manufacturers and physicians will not shy away from vigorous immunization efforts. In the Department's view, this program represents the cutting edge of tort reform and was specifically endorsed by the President last year when he introduced his national immunization initiative to Congress.

The Criminal Division was involved in two very different matters during 1993 that promise to have long-term implications for children's safety and security. First, it issued prosecutive guidelines and procedures for the Child Support Recovery Act of 1992, legislation that expands Federal jurisdiction over those who ignore their support obligations. The specter of Federal prosecution may itself help limit further growth in the "deadbeat parent" problem. In addition, as part of a concerted effort to target child abuse and exploitation, the Criminal Division coordinated "Project Long Arm" — an international investigative and prosecutive program designed to combat the use of computers and computer bulletin board services that traffic in child pornography. Forty search warrants in 15 States and 30 cities were executed as a part of this project, and numerous indictments were returned.

The U.S. Attorneys' Offices participated in preparing for full enforcement of the child support statute. Their efforts included helping to organize a national training seminar on the legislation. Finally, U.S. Attorneys' Offices personnel continued to support drug prevention activities in their local jurisdictions by serving as a catalyst with other law enforcement agencies and community groups to stem the demand, as well as the supply, of illegal substances.

## A More Responsive Justice System

Despite the best efforts made through every conceivable type of worthwhile prevention activity, whether supported by public or private funds, it seems inevitable that many young people will still come into direct contact with the formal processes of this Nation's juvenile or criminal justice systems — whether as a victim, a witness, or an offender. Recognizing that there is an enormous potential for compounding the damage when children are the victims of abuse or other criminal activity, Department organizations focused more of their efforts during 1993 on how to make our systems operate in the most humane and responsive fashion possible. Many important steps were taken toward this end.

Within the Executive Office for U.S. Attorneys (EOUSA), the Law Enforcement Coordinating Council (LECC)/Victim-Witness Staff spearheaded intensive training and other efforts during 1993 to establish multidisciplinary teams at the district level to help guide the progress of child abuse investigations. Ordinarily, during these types of investigations, young victims and witnesses can be subjected to a battery of interviews conducted by dozens of adults. This often leads to much confusion and sometimes outright trauma. However, the establishment of multidisciplinary teams, staffed with child support experts, permits investigations to be done in a timely and complete manner, with full coordination among all involved agencies and minimal trauma to the young person.

EOUSA's LECC/Victim-Witness Staff was instrumental in other initiatives during 1993 that should help protect the integrity of children as they encounter judicial processes. For example, a second edition of a manual, entitled "Expertise in Cases Involving Children," was published for specific use by Assistant U.S. Attorneys (AUSAs) handling cases involving child victims or witnesses. It includes the names of

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AUSAs who have expertise in such cases, an overview of legislation affecting child victims' rights, as well as sample indictments, motions, and briefs. In addition, in conjunction with the Victim-Witness Coordinator in the Southern District of Indiana, a video was produced for children who must testify in court. The video includes an introduction by the Attorney General and will be distributed to all U.S. Attorneys' Offices.

The Department did not limit these types of efforts in 1993 to the Federal system. In fact, NIJ funded several projects to make State-level systems more effective in dealing with child abuse cases. Court officials are being surveyed to design ways to coordinate child maltreatment cases that are pending in more than one court. Another study is examining decision-making and processing of child abuse cases, including one site that regularly prosecutes both felony and misdemeanor cases. A follow-up pilot study will determine the status of child abuse victims after their cases have been closed. This research will provide the baseline data needed to develop a national information system on child abuse cases reported to and processed by the justice system. OJJDP also provided funding to the National Council of Juvenile and Family Court Judges and the American Prosecutors Research Institute to train judges and prosecutors in the handling of child abuse and neglect cases.

Finally, and perhaps most tellingly, even those confined within the justice system itself are participating in prevention and system-building activities — all with an eye toward keeping a younger generation from following in their footsteps. Specifically, inmates from

the Bureau of Prisons this past year helped with the needs of children nationwide in a wide variety of ways, including repairing Little League facilities, visiting schools to talk to students about the dangers of drug abuse and gang membership, making and repairing toys to give to sick children, and helping raise money for various charitable causes.

These types of commitment and action help bring into proper focus the special urgency and responsibility to protect each child's health and safety. The 1993 efforts made by the Department of Justice toward that goal have helped build a foundation upon which additional progress can be based.

The task that remains before us as a Nation was set forth by President Clinton in the following terms in his speech in Memphis last November:

*. . . So I say to you, we have to make a partnership — all the government agencies, all the business folks — but where there are no families, where there is no order, where there is no hope, where we are reducing the size of our armed services because we have won the Cold War — who will be there to give structure, discipline, and love to these children? You must do that. And we must help you. . . .*

*—Excerpts from President Clinton's  
Speech, November 11, 1993,  
Mason Temple Church of God in Christ,  
Memphis, Tennessee*



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# Chapter IV - Guaranteeing the Civil Rights of Americans

*Goal: Enforce with vigor the civil rights laws of the United States.*

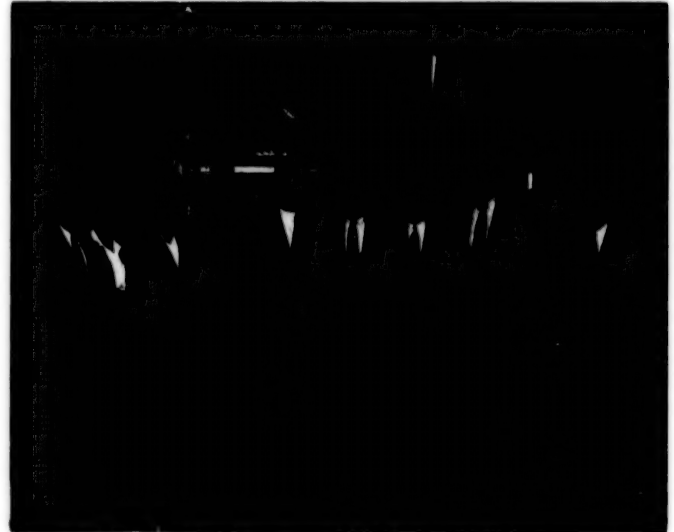
In 1993, the Department reaffirmed its commitment to the vigorous enforcement of Federal civil rights laws. Toward this end, the Department pursued prosecution of criminal violations, enhanced protection of voter and employee rights, and continued to focus on systematic violations of the fair housing statute. These and other areas of Federal civil rights concerns are described below.

## Criminal Civil Rights Violations

The Department continued its enforcement of the civil rights laws of the United States in 1993, initiating 58 prosecutions against 96 defendants charged with violations of Federal civil rights statutes. Incidents ranged from racial and religious violence, to acts of official abuse involving a Tennessee State judge, several North Carolina police officers, Federal Deputy Marshals, and a Border Patrol Agent.

The prosecutive highlight of 1993 was the conviction of two Los Angeles police officers for the beating of Rodney King in March 1991. Following acquittals on State charges, the two officers involved in the King beating were convicted after a two-month Federal trial and sentenced to prison terms of 30 months. The Department is appealing these sentences, and both defendants are appealing their convictions. The successful team of Federal prosecutors was made up of highly experienced litigators from the Civil Rights Division and the U.S. Attorney's Office in Los Angeles.

Many components of the Department contributed to the work of the prosecuting team, and the Attorney General cited this teamwork as the most effective way of dealing with high priority civil rights prosecutions. For example, the FBI Laboratory's Video Support Unit provided crucial technical support to prosecutors in the King trial by enhancing the images from the videotape



*Attorney General Reno and the Department of Justice Rodney King trial team*

of the incident. The USMS was instrumental in providing a safe and secure environment for the trial. The Community Relations Service (CRS) contributed to preventing disturbances during the trial by devoting major resources to conflict prevention and resolution efforts using a national team that focused its efforts on schools, law enforcement personnel, and communities in the South Central and Greater Los Angeles areas.

Hate crimes involving racial and religious violence have also received much attention recently. The FBI released its first report on hate crime statistics in 1993, and has conducted 40 Hate Crime Regional Training Conferences for law enforcement personnel. In addition, the FBI initiated the National Incident Based Reporting System (NIBRS), which collects data on each single hate crime occurrence.

## Voting Rights

The Department worked closely with the Congress to secure passage of the National Voter Registration Act of 1993. Known popularly as the "Motor Voter Act," this legislation will increase voter participation

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by removing unnecessary barriers to registration. In the past, unfair and discriminatory registration requirements have impeded the ability of many citizens, especially minority citizens, to enter the electoral system.

Other efforts to ensure minority citizens a fair opportunity to elect candidates of their choice included objections to the implementation of 44 redistricting plans that were not proved to be free of discrimination. In addition, enforcement of the Voting Rights Act's minority language requirements resulted in significant Spanish and Chinese language compliance by New York City, suits against two New Mexico counties and strengthened consent decrees with two Arizona counties to remedy their inadequate Native American language compliance, and pre-election relief against Dade County, Florida, for its inadequate dissemination, in the Spanish language, of voter information about a special county commission election under new districts ordered in a Voting Rights Act case.

## Employment Rights

The Office of Special Counsel for Immigration Related Unfair Employment Practices (OSC) continued to aggressively prosecute cases involving national origin and citizenship status discrimination, and to seek civil penalties and equitable relief in cases involving employers who violated the document abuse provisions of the Immigration Reform and Control Act (IRCA) by demanding specific documents from work authorized individuals. During 1993, OSC investigated 633 charges of employment discrimination, filed 22 complaints based on these investigations, collected \$536,434 in back pay for individuals injured by acts of employment discrimination, and collected \$257,615 in civil penalties against employers for discriminatory practices. The civil penalties collected represented a 212 percent increase from 1992.

The OSC continued its long term effort of providing public education to both employers and employees about their rights and responsibilities under IRCA.

This outreach mission was carried out through numerous activities such as the provision of grants to community-based organizations and employer groups to conduct educational activities, dissemination of information through the media, and the participation of staff attorneys at activities attended by appropriate target groups.

In other action, the Department filed 17 new suits under Title VII of the Civil Rights Act of 1964 and, through either litigation or consent, obtained remedial decrees for the victims of discrimination in 20 such suits. The Department identified hundreds of victims this year who will be entitled to receive more than \$8 million in back-pay and pension relief.

Significant ongoing cases include those against the State of New Jersey (lawfulness of State administered selection devices) and the Commonwealth of the Northern Mariana Islands (national origin discrimination by public schools). Noteworthy court orders in two cases required Warren, Michigan, to undertake extensive affirmative measures; and, in a disparate treatment case referred by the Equal Employment Opportunity Commission, required the Dallas Area Rapid Transit System to pay the largest individual back-pay award (\$165,000) ever obtained.

## Fair Housing

A record 120 new lawsuits were filed in 1993, reflecting both the expanded enforcement authority under the Fair Housing Amendments Act of 1988 and pattern or practice cases resulting from the Department's fair housing testing program. This year witnessed the first major results from this testing program, which is being conducted in 16 locations either by Department volunteers or through contracts with fair housing groups.

The program has produced seven cases, including five in the Detroit area, in a focused attack on housing discrimination in a highly segregated geographic area. The strength of the testing evidence in one of the

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Detroit cases (*U.S. v. Grillo*), produced a total monetary payment of \$350,000, including a record \$125,000 civil penalty with the remaining \$225,000 to be distributed to identified victims.

Another priority was mortgage lending discrimination. Working with the Federal regulatory agencies and the Department of Housing and Urban Development, the Department implemented a long-range program under which it will receive referrals from the principal regulatory agencies as well as pursue independent investigations.

Finally, the CRS was active in ensuring fair housing opportunity by mediating disputes between public housing tenants and housing management officials regarding safety and service discrimination issues. In Vidor, Texas, and other communities, CRS provided assistance to law enforcement agencies and future minority residents of non-integrated public housing facilities where hate groups are active.

## Equal Educational Opportunities

The Department continued to enforce those statutes that prohibit discrimination in public schools and require that students be provided equal educational opportunities without regard to race, sex, color, or national origin. In the area of higher education, extensive efforts were devoted to major litigation against Mississippi, Louisiana, and Alabama — all of which previously operated racially dual systems of higher education and have failed to eliminate all vestiges of such systems. In each of these cases, the Department emphasized that minority students must have full access to all levels of higher education in desegregated institutions, and that historically Black institutions must be full partners in providing higher education to the citizens in each State. In addition, the Department continued to seek relief from illegal sex discrimination in the Virginia Military Institute case and joined a similar challenge against The Citadel, the only other State-operated all-male institution.

In the elementary and secondary area, the Department's litigation program required school districts to provide equal educational opportunities to minority students as well as to address the needs of limited-English speaking students.

## Americans with Disabilities Act (ADA)

On July 26, 1993, the Department commemorated the third anniversary of the landmark Americans with Disabilities Act. In a ceremony held at the model community of Takoma Park, Maryland, the Attorney General announced the Department's public service campaign to publicize the law and educate businesses and State and local governments that must comply with the law. The Attorney General also congratulated the members of the business community being honored for having shown outstanding leadership in removing barriers to access.

Consistent with the Attorney General's commitment to fully enforcing the ADA, a two-pronged effort was pursued in 1993. Specifically, the Department filed its first lawsuits under the ADA and, in successfully resolving over 100 complaints, required the removal of physical barriers, the provision of auxiliary aids, and the elimination of discriminatory policies in hotels, restaurants, retail stores, banks, courts, town halls, and prisons. The Department supported an individual with learning disabilities who sought accommodations for taking a State bar examination; challenged overly broad questions relating to the psychological history of candidates for medical licensing; and reinforced the principle that the ADA creates a private right of action for damages, including emotional distress, against State and local governments.

The technical assistance programs, designed to raise public awareness of the ADA, included the updating of the technical assistance manuals, the operation of an ADA telephone information line,

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mass mailings to entities covered by the ADA, and the maintenance of an electronic bulletin board. A total of \$3.2 million in grants was made to fund projects to inform all persons and organizations of the rights and responsibilities conferred by the ADA.

## Civil Rights of Institutionalized Persons

In addition to an ongoing docket of investigation and litigation, the Department undertook to respond to widespread allegations of grossly deficient conditions in jails throughout the State of Mississippi that might have contributed to a significant number of suicides. Under the Civil Rights of Institutionalized Persons Act, the Department investigated 18 city and county jails in the State and found flagrant conditions violative of the Act, including dilapidated physical plants and other hazards, inadequate medical and mental health care, and deficient security and supervision. Some of the jurisdictions have agreed to build new jails and others are taking steps to remedy violations in the existing facility; all will be required to take further action either voluntarily or, if necessary, through enforcement proceedings in Federal court.

In April 1993, the Office of Juvenile Justice and Delinquency Prevention (OJJDP) released findings from the most comprehensive nationwide investigation to date of conditions in secure juvenile detention and correctional facilities. Using nationally recognized correctional standards as a gauge, researchers assessed how juvenile offenders' basic needs were met, how institutional security and resident safety were main-

tained, what treatment programs were provided, and how juveniles' rights were protected. Researchers concluded that serious and widespread problems existed in the areas of living space, health care, institutional security and safety, and control of suicidal behavior. More than 75 percent of the confined juvenile population was housed in facilities that violated one or more standards related to living space. Crowding was found to be associated with higher rates of institutional violence, suicidal behavior, and greater reliance on the use of short-term isolation. A broad-based national consortium, consisting of national professional organizations and governmental associations, national youth advocacy organizations, private foundations, and other Federal agencies, is being formed to plan and promote long-term improvements in the conditions of confinement and services for juveniles in custody.

## New Initiatives

In addition to the accomplishments cited above, the Department embarked on two new initiatives. First, it worked to secure the passage of the Freedom of Access to Clinic Entrances Act. This legislation prohibits the use of force, threats of force or physical obstruction to interfere with the obtaining or providing of pregnancy related services. Second, it continued to work with the Environmental Protection Agency (EPA) on the development of a comprehensive strategy on environmental justice. The development of this strategy reflects the Administration's concern about the equitable distribution of environmental risks.



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# Chapter V - Safeguarding America's Natural Environment

*Goal: Protect the public lands and natural resources of America.*

The Department continues to play a role in the protection of the Nation's environment by providing advice to Federal agencies on their environmental programs and participating in litigation to enforce and protect Federal statutes and regulations. In 1993, the Department worked toward securing reserved water rights for Native Americans, prosecuted individuals and corporations responsible for violating civil and criminal environmental laws, defended EPA's regulatory programs, and provided advice to agencies involved in the North American Free Trade Agreement (NAFTA) negotiations. These efforts led to a successful environmental protection and enforcement program.

## Natural Resources Protection

The Department continued to assist the Federal land management and other agencies in their efforts to protect the natural resources and ecosystems affected by their activities. In particular, the Department exerted strong leadership in 1993 in an effort to resolve years of litigation over Federal timber sales in the Pacific Northwest. By implementing "The President's Forest Plan for a Sustainable Economy and a Sustainable Environment," a comprehensive plan for management of forest ecosystems for the Pacific Northwest, the Department and its client agencies are working to achieve a resolution of the conflict.

The listing of three runs of salmon in the Columbia/Snake River systems as endangered and threatened under the Endangered Species Act generated an ongoing flood of lawsuits by environmental and industry groups. The Environment and Natural Resources Division (the Environment Division) continues to represent various client agencies in the litigation, and is working with the agencies to develop a comprehensive approach to protect salmon.

In the last year, the Environment Division completed three historic water rights settlements that guarantee the rights of Native American Tribes. In addition to securing the reserved water rights of Tribes, these settlements ensure environmental compliance in developing new water sources and protecting the vegetation and wildlife that dwell in the riparian zones from which water is drawn. In furtherance of its efforts to protect Native American reserved water rights, the Department successfully argued to the United States Supreme Court that States could not impose exorbitant filing fees on water rights claims filed in cases where the United States has been named a defendant in a general stream adjudication.

The Department also enforces Federal wetlands laws. This year, the Department contributed to the development of the President's wetlands policy which contains initiatives making current wetlands protection programs fairer and more effective.

## Criminal and Civil Enforcement Actions

### *Criminal Enforcement*

The Department's environmental crimes program achieved a number of notable successes last year, demonstrating a firm commitment to prosecute those who violate the environmental laws. Specifically, a total of 181 corporations and individuals were indicted for environmental crimes, the second highest number ever, and just slightly below 1992's record number of 187.

Perhaps more important, 1993 saw an increased focus on holding individuals accountable for environmental violations. For example, in United States v. Brittingham and LoMonaco, the Department obtained jury verdicts against the Chairman and the President of the nation's largest ceramic tile manufacturing company, who had directed their employees to dump hazardous lead wastes illegally. The court fined



Brittingham \$6 million and LoMonaco \$2 million, and required them to spend \$6 million of their personal funds to address lead poisoning hazards. Brittingham has also paid \$12.5 million for cleanup.

Similarly, the Department did not hesitate to prosecute local government officials where the facts warranted it. For example, in *U.S. v. Walter Baker*, a jury found Baker, the Assistant Director of a municipal sewage treatment plant, guilty of making false statements on discharge monitoring reports in violation of the Clean Water Act. Baker was sentenced to 12 months incarceration and a \$5,000 fine. In a related case, a former Assistant Director of the same plant pled guilty and was sentenced to five years' probation, 4,480 hours of community service and a \$5,000 fine.

Prosecutions resulting from a three-year undercover investigation dubbed Operation Renegade by the U.S. Fish and Wildlife Service into illegal commercial trafficking in exotic birds, such as parrots, macaws, and cockatoos, have met with initial success and are ongoing. One aspect of the investigation focused upon conventional smuggling rings operating between New Zealand or Australia and the United States that used couriers to smuggle birds or viable eggs into the United States, oftentimes returning with contraband birds from the United States. Another aspect of the investigation concentrated on birds smuggled into the Rio Grande Valley in Texas from Mexico and other locations in Central America and importations into the United States of thousands of African grey parrots accompanied by phony papers. The papers are used to facilitate the entry into the United States of the birds that had been acquired illegally in Africa.

To date, seven primary defendants from the Africa and Australia/New Zealand investigation have been convicted on one or more felony counts. In addition, eight couriers have pled to felony or misdemeanor smuggling or wildlife offenses and are cooperating with prosecutors. Additional indictments are expected. These prosecutions, along with the recently enacted Wild Bird Conservation Act of 1992, should help stem the flow of illegal exotic birds into the United States.



*The Major Mitchell's cockatoo (*Cacatua leadbeateri*) is native to Australia and is prohibited from export by Australia. Operation Renegade uncovered a conspiracy during which hundreds of Australian cockatoo eggs were collected illegally in Australia, smuggled into the United States in concealed vests, hatched, and sold to collectors for hundreds of thousands of dollars.*

### *Civil Enforcement*

1993 marked the fifth straight billion dollar year for the recovery of civil penalties, court-ordered defendant cleanups, EPA cleanup cost recoveries and natural resource damages. Under Superfund, settlements and court judgments resulted in over \$340 million being returned to the fund, a record for any given fiscal year. Record penalties were also achieved in litigation under

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nearly all environmental statutes—the largest Clean Air Act penalty, United States v. Louisiana Pacific (\$11.1 million); the largest Clean Water Act penalty, United States v. Dexter (\$7.2 million); the largest Resource Conservation Recovery Act (RCRA) penalty, United States v. UTC (\$3.7 million); and the largest Safe Drinking Water Act penalty, United States v. Butte Water Co. (\$900,000).

There were also a number of “firsts” in civil environmental enforcement in 1993. In February 1993, the first judicial settlements under the Oil Pollution Act of 1990 were reached in lawsuits filed against the Texaco and U.S. Oil companies in response to oil spills from refineries in the State of Washington. The two settlements resulted in a total of \$14.7 million in penalties and cleanup costs. In June 1993, the first complaint was filed on behalf of the Department of Agriculture as a trustee of natural resources — United States v. Blackbird Mining Co. (the lawsuit was also filed on behalf of the National Oceanic and Atmospheric Administration). This is a multi-media case alleging violations of the Comprehensive Environmental Response, Compensation and Liability Act of 1980, the Clean Water Act, and the Endangered Species Act. In addition, the first judicial settlement under the Clean Air Act’s mercury NESHAP (National Emissions Standard for Hazardous Air Pollutants) was reached — United States v. Olin Corp. (\$1 million penalty).

A significant settlement in In re Circle K was reached in 1993. The settlement addressed Circle K’s liability under Federal hazardous waste laws for leaking underground storage tanks at 2,300 gas stations it no longer operates. This settlement, which was the fruit of close cooperation between the Department and the 31 affected States, requires the purchaser of Circle K and the unsecured creditors to pay \$30 million into trust funds for the 31 States.

In addition to settlements, the Environment Division’s civil enforcement effort during 1993 generated several very significant new initiatives. For example, in July 1993, a series of four actions was

taken against alleged illegal operators of facilities that manage hazardous waste. The facilities were targeted because they evaded the EPA’s hazardous waste regulatory program. This initiative is a continuation of EPA’s longstanding effort to identify illegally operating hazardous waste facilities and to bring them into compliance or closure. Similarly, in May 1993, the Department and EPA announced settlements in four cases addressing violations of the land disposal restrictions of RCRA. These settlements in total recovered approximately \$6.3 million in civil penalties, a figure that exceeds the total 1992 RCRA civil penalty number.

## Defending EPA’s Regulatory Actions

In 1993, the Environment Division successfully defended the EPA’s major regulatory programs in many different judicial forums. The primary goal of the Department in handling such defensive litigation is to preserve EPA’s prerogatives so that it is able to make important policy determinations and implement complex regulatory programs without being unduly hindered by restrictive interpretations of the law.

In particular, the Department devoted great efforts in defensive litigation involving implementation of the 1990 Clean Air Act Amendments. Much of the litigation arose from EPA’s difficulties in meeting many of the more than 175 deadlines for major regulatory action created by the Amendments. The defensive efforts involved the challenges of balancing EPA’s need for sufficient time to address the complex issues raised by the demanding statutory deadlines against a legitimate concern that the mandates be met expeditiously. In addition, the Department successfully defended the extensive set of regulations specifying the manner in which hazardous waste sites throughout the Nation are to be cleaned up.

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## North American Free Trade Agreement (NAFTA)

In a case with significant trade and foreign policy implications, the Department successfully defended a lawsuit in which Public Citizen, Sierra Club, and Friends of the Earth sought declaratory and injunctive relief to compel the Office of the U.S. Trade Representative to prepare an environmental impact statement for the NAFTA prior to the President's conclusion of the agreement and his transmittal of the agreement to Congress for consideration. Although the District Court granted the relief sought, the United States Court of Appeals for the District of Columbia Circuit reversed, concluding that because NAFTA is action by the President, the plaintiffs' National Environmental Policy Act claims are not judicially reviewable. The Supreme Court denied certiorari in the case.

In addition, in the spring of 1993, fulfilling the President's commitment, the Administration began negotiating NAFTA side-agreements on environment and labor with the Mexican and Canadian governments. From then through to successful conclusion of both agreements in late summer, the Department pro-

vided advice to the Office of the U.S. Trade Representative, the EPA, the Department of Labor, the Department of State, and other agencies on the many legal issues arising with respect to enforcement policies, citizen suits, access to administrative and judicial tribunals, transparency in the development of laws and regulations and use of the judgment fund.

## Waste Management Initiatives

The Department of Justice itself has developed strategies to address its particular environmental issues. In early 1993, DEA awarded regional contracts for environmentally sound cleanup and disposal services to manage hazardous waste seized at clandestine drug laboratory sites throughout the United States. The BOP launched an agency-wide recycling program in 1992, which has proven successful both environmentally and financially. The landfill space saved by the BOP's recycling program during 1993 was 49,014 cubic yards — equivalent to 10 football fields of trash three feet deep. Furthermore, this reduction in trash volume generated cost savings of almost \$127,000 and remitted \$49,625 in profits from the sale of recyclable materials to be returned to the Treasury of the United States.

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# Chapter VI

## Securing America's Borders

*Goal: Provide the maximum possible protection along America's borders.*

A number of high-profile events in 1993 called national attention to immigration. The involvement of foreign nationals in the World Trade Center bombing and in the shooting of Central Intelligence Agency employees in broad daylight, the arrival of several ships full of smuggled Chinese passengers, the unsettled political situation in Haiti, and the debate on NAFTA, among other things, brought immigration issues to the front page and raised questions about United States policies concerning border enforcement, asylum, and immigrant admissions.

As a result of these events, the Immigration and Naturalization Service (INS) developed plans for real-locating existing resources and identifying new resources to provide maximum protection along the borders and ports of the United States, reforming the asylum process, and improving other procedures for facilitating legal admissions. At the same time, the INS made further progress in meeting goals established in previous years to strengthen controls over illegal entry and alien smuggling, to streamline procedures for inspections and adjudications, and to upgrade operational technologies and information systems.

### Border Enforcement

The INS Border Patrol apprehended 1.25 million illegal aliens in 1993, an increase of approximately 4.4 percent above the previous year's total. This marks the fourth consecutive year that apprehensions surpassed one million.

During 1993, the Border Patrol implemented additional measures to deter illegal entry in two areas where the problem is especially acute. In San Diego, California, the Border Patrol put in place reinforced fencing, added electronic sensors, and expanded lighting. In El Paso, Texas, the Border Patrol's strategy

involved using a concentrated, highly visible deployment of 400 Border Patrol agents in the area of highest alien traffic. The success of their strategy in preventing and deterring illegal border crossings was evidenced by a sharp drop in apprehensions.

### Employer Sanctions and Document Fraud

Employer sanctions is an effective enforcement tool used for controlling illegal immigration by removing the incentive of easy employment for undocumented workers. In enforcing employer sanctions in 1993, the INS collected and deposited in the U.S. Treasury more than \$5.1 million in civil money penalties for violations of the sanctions. At the same time, INS found 89 percent of employers in compliance with the law.

To assist employers in verifying the work eligibility of their employees, the INS implemented a telephone verification demonstration project in 1992. Participating employers have automated access to the INS Alien Status Verification Index (ASVI) system. This system is also used by State and local government agencies to verify the eligibility of aliens who apply for Federally-subsidized entitlements. During 1993, there were 3,623,196 queries made to the ASVI.

To increase the enforcement presence in the business community, the INS signed a Memorandum of Understanding (MOU) with the Department of Labor's Employment Standards Administration (ESA) in June 1992. This MOU authorized ESA officers to issue warning notices for certain violations of the employer sanctions provisions. Joint training of INS and ESA officers in the procedures and requirements of the MOU was completed in 1993.

A recognition by the INS that employer sanctions enforcement is hampered by the proliferation of fraudulent documents resulted in the assignment of a significant portion of INS investigative, intelligence, and



inspections resources to identifying and prosecuting the manufacturers, vendors, and users of these documents. During the year, undercover investigators took part in more than 300 cases involving the manufacture or sale of fraudulent documents. The INS Forensic Document Laboratory (FDL) is also an effective instrument against fraud. During 1993, the FDL's Document Link Identification System identified and linked more than 480 criminal investigations in 23 States to a counterfeiting operation in Los Angeles, California. Other measures against document fraud included the implementation in September 1992 of the provision of the Immigration Act of 1990 that authorized the INS to issue both cease and desist orders and civil fines for document fraud.

The INS also continued its Carrier Consultant Project in 1993, training 30 immigration inspectors with special language skills for deployment to 36 sites in 25 countries to train airline agents and foreign consular officers in the detection of fraudulent documents. INS intelligence officers were also involved in the training of about 3,500 people in the detection of fraudulent passports and other international travel documents under the auspices of the International Air Transport Association.

## Anti-Smuggling Initiatives

One of the most serious immigration problems facing the United States in recent years has been the exploitation by criminal smugglers of tens of thousands of would-be immigrants throughout the world. The arrival in 1993 of five large smugglers' vessels, including one called the "Chin Lung Hsiang," a 200-foot fishing boat interdicted by the U.S. Coast Guard as it entered San Diego Harbor carrying nationals of the People's Republic of China (PRC), all served to publicize the unscrupulous practices of these smugglers. These ships demonstrated how the smugglers treat their human clients as profit-making cargo, packing them into severely confined spaces for long



*The "Chin Lung Hsiang", a 200-foot fishing boat of Honduran registry, was interdicted by the Coast Guard as it entered San Diego Harbor on May 12, 1993, carrying 191 smuggled Chinese passengers and 8 Taiwanese crew members.*

periods of time with little or no provision for their comfort, health, or safety. Numerous instances of inhumane treatment or abuse of the smuggled aliens were reported, including beatings, rape, and murder. Investigations also revealed that many are placed in virtual servitude; held hostage until smuggling fees are paid.

The INS has been investigating alien smuggling as a priority for many years and in 1991 formed the Chinese Boat Smuggling Task Force to address that problem in particular. Since August 1991, approximately 2,300 PRC nationals have been caught trying to enter the United States illegally on 14 separate boats. An unknown number have made it here without detection. The INS has detained the smuggled aliens to discourage others from trying, seized the vessels, and prosecuted the vessel operators to combat the smuggling conspiracies and cripple their activities. So far, all prosecutions resulting from investigations into these incidents of boat smuggling have resulted in convictions and sentences for the captains and crews of the vessels.

In addition, the Administration proposed new legislative initiatives that would increase penalties for



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certain alien smugglers, give broader asset forfeiture authority to agents, add certain criminal immigration violations as justification for wiretaps, and permit the INS to use the powerful Racketeering Influenced and Corrupt Organizations (RICO) statutes to pursue criminal alien organizations.

## Inspections

The INS Passenger Accelerated Service System (INSPASS) was opened for demonstration at the Newark, New Jersey, airport on May 21, 1993, officially beginning the first practical use of biometric technology to speed inspections of frequent travelers to the United States. The INSPASS system was installed and enrollment centers opened at both Newark and JFK International Airports for a six-month pilot test during which time eligible travelers could apply for the special machine-readable INSPASS card, which combines identification data with measurements of their hand geometry. INSPASS enrollment is voluntary and open to citizens of the United States and the 23 nations designated under the Visa Waiver program. With the INSPASS card, the travelers can be inspected and admitted through an automated INSPASS booth which includes a card reader and a hand geometry reader to match the data on the card with the hand geometry of the person being inspected. In conjunction with the Canadian immigration officials, a test was also conducted at a land border operation at the Rainbow Bridge in Niagara Falls, New York, in July during the World University Games. As of September 30, 1993, more than 5,000 applicants had been enrolled in INSPASS.

## Detention

In the course of enforcing immigration law, the INS places a high priority on identifying, locating, detaining, and removing aliens who cause the most

harm to society at large. Working with BOP and the Executive Office for Immigration Review (EOIR), the INS significantly improved its ability to ensure the detention and expedite the deportation of criminal aliens, who accounted for about 60 percent of detained aliens and about 54 percent of deportations in 1993. The INS deported 20,351 criminal aliens in 1993, about 10 percent more than in 1992.

The Institutional Hearing Program (IHP) was developed by the BOP, the EOIR, and the INS in order to facilitate the completion of deportation proceedings for sentenced prisoners and thereby expeditiously deport them at the end of their sentence. Since the IHP's inception in 1988, EOIR has completed immigration proceedings for more than 6,300 alien inmates in BOP custody.

To improve its detention capability, the INS expanded capacity in a contract facility in Seattle, Washington, and awarded contracts for a 1,000-bed INS/BOP facility for criminal aliens in Arizona and a new 300-bed facility in Elizabeth, New Jersey. Existing facilities in El Centro, California, and Florence, Arizona, were accredited by the American Correctional Association (ACA), increasing to five the number of ACA accredited INS facilities. The health unit in the INS facility in San Pedro, California, was also accredited by the National Commission on Correctional Health Care (NCCHC), increasing to five the number of medically accredited INS facilities.

The BOP continues to house approximately 1,150 Cuban citizens who have been ordered detained by the INS. This is a unique and difficult population to manage. BOP staff work closely with the Cuban Review Plan staff of INS in providing annual hearings for all these cases to determine if they can be released. BOP also assists in identifying and preparing cases against aliens who can be repatriated pursuant to the 1984 Migration Agreement with Cuba.

Efforts to manage the alien offender population in the U.S. are not limited to the U.S. alone; the BOP currently has treaty transfer agreements with 30 other

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nations, and strives to repatriate criminal aliens whenever possible. Under the Treaty Transfer Program, which began in 1977, the BOP has returned 1,103 Federal non-U.S. citizen inmates to their native countries (and has received 1,390 U.S. citizens in return through the exchange).

## Reform of Asylum Policy and Procedure

The INS Asylum Officer Corps made significant productivity gains in 1993, increasing the number of cases completed to 37,145, about 64 percent more than in 1992. Of these applicants, 5,115 were granted asylum and 18,298 were denied. Asylum officers also made progress in meeting the goal of reducing processing time from 150 or more days to 120 days or less. However, with receipts of 147,200 new applications, the asylum backlog grew about 50 percent to 329,069 at year's end.

In response to the President's pledge to reform asylum policies and procedures, the Department, along with other Federal agencies and various non-governmental organizations, actively undertook an intensive review of the asylum program. This effort resulted in the development and presentation of a comprehensive asylum reform legislative initiative by the Administration which would assure fair and timely adjudications and the expedited recognition of meritorious claims, while deterring abuse and preserving the integrity of the process.

## Coordination with Other Federal Agencies

The Interagency Border Inspection System (IBIS), is a joint project among the INS, the Customs Service, the Departments of State and Agriculture, and 26 other Federal agencies that provides inspectors at 133 ports of entry and access to a national, interagency lookout

information system. This strengthens border security against terrorism, narcotics trafficking, smugglers of illegal aliens, and other threats. Approximately 450 million people passed through IBIS-equipped ports in 1993, or about 93 percent of all arriving travelers into the United States.

The INS also collects and shares information related to alien smuggling, document fraud, and drug trafficking with several other agencies in the intelligence community. In 1993, INS intelligence officers maintained continual liaison with the U.S. Coast Guard to monitor Chinese, Cuban, and Haitian vessels moving toward the United States; coordinated information on boat smuggling with the Office of Naval Intelligence; and shared intelligence on drug trafficking with both DEA and the Defense Intelligence Agency. The DEA, for example, provided leads on the identities of known or suspected narcotics figures who were connected with Chinese boat smugglers.

In another example of interagency coordination, INS continued to work closely with the Community Relations Service in trying to resettle the large number of Cubans and Haitians who entered this country without documentation. Over a three-month period last year, intensive efforts were made to ensure the resettlement of a group of HIV-positive Haitians and their families who had been housed at the U.S. Naval Base at Guantanamo Bay, Cuba. INS and CRS also worked cooperatively to handle the special problem of Chinese unaccompanied minors who came to the West Coast and Puerto Rico aboard freighters.

Finally, INS began a cooperative program with the U.S. National Central Bureau (USNCB) of INTERPOL and with police attaches at the Korean Embassy to locate Korean fugitives who had fled to the United States. This program was initiated to facilitate the arrest and deportation of Korean criminal aliens. Despite the relative newness of this arrangement, the USNCB had more than 40 active cases on Korean fugitives last year. This program plays a key law enforcement liaison function since there exists no extradition treaty between the United States and Korea.

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# Chapter VII - Making the Government and the Law Work for All Americans

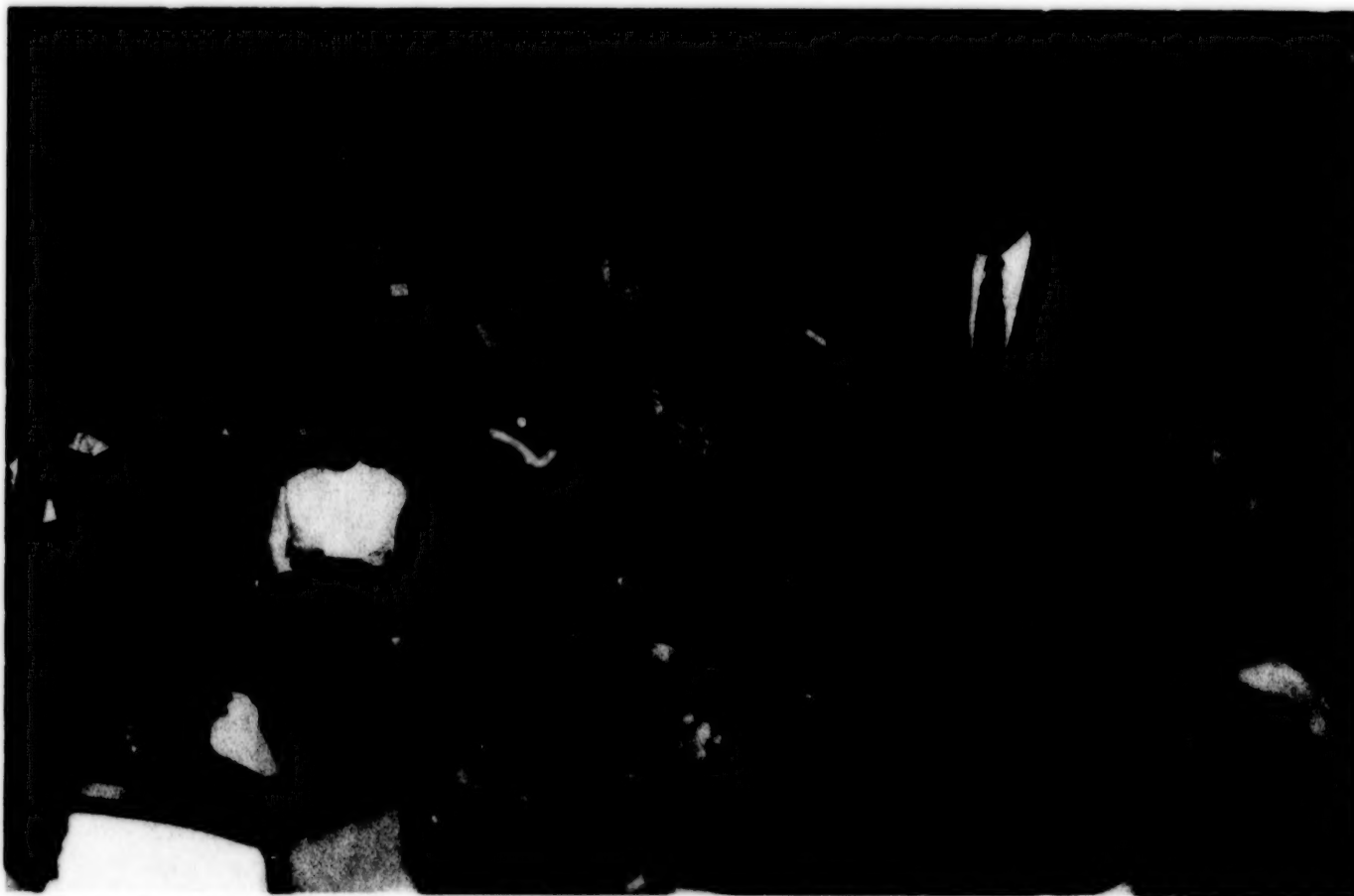
*Goal: Work to ensure that Americans receive equal access to the legal and law enforcement system.*

In 1993, the Department of Justice took strides toward making the Government work better and more efficiently for all Americans. The Attorney General initiated an ongoing review of the Department, with the goal of eliminating duplication and wasteful spending, and increasing coordination among agencies. As a result of this and other initiatives, 1993 saw substantial progress in a number of key management areas.

## Justice Performance Review

The government wide effort to make Government "work better and cost less" was led by Vice President Gore's National Performance Review. To support the effort of the Vice President, the Attorney General, with the help of the component heads, established an internal Justice Performance Review (JPR).

The JPR worked closely with the National Performance Review team. In July 1993, the Vice President and the Attorney General hosted a Town Hall Meeting in the Department's Great Hall of Justice.



*Vice President Gore and Attorney General Reno-Department of Justice Town Hall Meeting July 14, 1993*

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With the Vice President leading the discussion, Department employees had an opportunity to tell him directly what problems they encounter in doing their work and what ideas they have for positive change. These ideas, along with others, assisted the National Performance Review team to set forth in their final report the sweeping recommendations that will change the way the Government does business.

The Justice Performance Review reflects this emphasis on change. Its goal is to create an environment where employees are freed from the constraints of red tape and can focus on serving America by asking, "What's the right thing to do?"

In 1993, the JPR concentrated on two approaches: first, involving employees in identifying and solving problems; and second, developing pilot improvement projects known as "reinvention laboratories." To involve employees, the Attorney General established "AG-ONLINE" to allow Department employees to submit ideas and suggestions on improving the Department's operations. Over 3,000 suggestions were received. In addition, a Department-wide newsletter, "Justice For All," was created, providing regular updates to all employees on performance improvement efforts. At the same time, plans were developed for the creation of employee problem solving teams that will address specific issues such as improving customer service.

"Reinvention laboratories" are efforts to develop new and innovative solutions to specific problems and to test and evaluate how well they work. Laboratories that began development in 1993 include:

- **Automated Booking Stations.** This "lab" is a cooperative effort involving all DOJ law enforcement agencies in the development of a joint "booking" system that will simplify and expedite the processing of prisoners by eliminating duplication and automating the collection of fingerprints, mug shots, and offender data.
- **Community-Based Comprehensive Crime Reduction Strategies.** Based on the existing Weed and Seed program, this "lab" is designed to develop an effective mechanism to deliver resources from several Federal agencies in a coordinated manner to reinforce community organization and self-sufficiency.
- **Freedom of Information Act (FOIA) Processing.** This "lab" aims to streamline FOIA procedures in order to provide better and more timely service to requestors and to reduce backlogs. It complements and reinforces the Attorney General's commitment to greater public access to information discussed below.

## Broadening Public Access to Information

In conjunction with the issuance of a Presidential Memorandum stressing "openness in government," the Attorney General announced a major change in policy regarding disclosures of Federal agency information under the Freedom of Information Act. Under the new policy, the Department will defend the assertion of a FOIA exemption only in those cases where an agency reasonably foresees that disclosure would be harmful to an interest protected by that exemption. In cases where no such harm can be discerned, information is to be disclosed even though it might technically or arguably fall within an exemption. The Attorney General strongly urged all Federal agencies to make discretionary disclosures of information whenever possible.



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## Collecting Debts Due the United States

The Department of Justice plays a pivotal role in collecting debts owed to the United States. During 1993, the Department collected nearly one billion dollars. This amount is the largest ever collected in a single year. In addition to collecting monies owed to the United States, the Department is responsible for suing the most recalcitrant debtors who resist paying debts arising when they default on their obligations under Federal agency assistance programs.

Vigorous efforts to enforce the collection of criminal fines ensures that those who have been convicted of crimes pay their debts to society and deters future criminal behavior. In addition, a substantial portion of the money goes to help crime victims. Collecting delinquent civil debts helps ensure the integrity of Federal programs such as loans for education or disaster relief.

## Worklife

In recognition of the many challenges its employees face in balancing professional and personal priorities, the Department continued to conduct an active worklife program. Among the options available to employees and managers were flexible work schedules; part-time employment and job sharing; work-at-home arrangements; counseling and referral services; near site child care; leave sharing; and various education and support activities.

During the past year, components established pilot programs to test the feasibility of different flexible schedules. The results were extremely positive, as both employees and their supervisors expressed satisfaction. To continue these innovations, new supervisors began to receive specific training on how to exercise their discretion in determining which worklife

options are compatible with mission requirements and employee needs.

The Department's commitment to worklife issues was also evident in the publication, "Work Options: Balancing Workstyles and Lifestyles — A Manager's Guide to Human Resource Management." This Guide, a reference for supervisors and managers that offers policy guidance on worklife alternatives, was revised to include a message to managers from the Attorney General encouraging them to offer employees greater flexibility and support while ensuring the effectiveness of organizational operations.

Additionally, Just Us Kids, Inc., the Department's child care center for children ranging in age from three months to five years, spent the past year planning for the addition of a kindergarten program for the school year beginning in September 1994. The recent opening of the innovative playground on the mezzanine level of the FBI headquarters building provides children at Just Us Kids with a safe and stimulating environment for outdoor recreational activities. The center is an important component of the Department's work-life program because it provides a high quality learning



*Among the Department's many exceptional 1993 Honor Program recruits are (from left to right): Fred Phillips, Michele Felasco, John Lee, Mary Lou Mobley, Michael Davis, Shereen Charlick, Leonard Bailey, James Gallegos, Andrea Nervi Ward, Stevan Mitchell, and Scott Schumacher*



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environment for children while providing employees with the peace of mind necessary to concentrate on work responsibilities.

## Recruiting the Best

In the continuing effort to reach out and recruit the best and the brightest among our Nation's legal talent, the Office of Attorney Personnel management contacted numerous associations representing law students from diverse cultural backgrounds, as well as associations representing attorneys with disabilities. Special flyers were mailed to these associations and to all ABA-accredited law schools, and Department attorneys attended job fairs targeting these groups. In addition, efforts to recruit lawyers with disabilities included publishing informational booklets in Braille, large print, audio and electronic formats. To enhance recruiting efforts, Department attorneys representing each group were available to discuss potential applicants' questions and concerns.

## Implementing Payroll/Personnel System Cross-Servicing

In May 1993, the Department completed its implementation of the U.S. Department of Agriculture's pay-

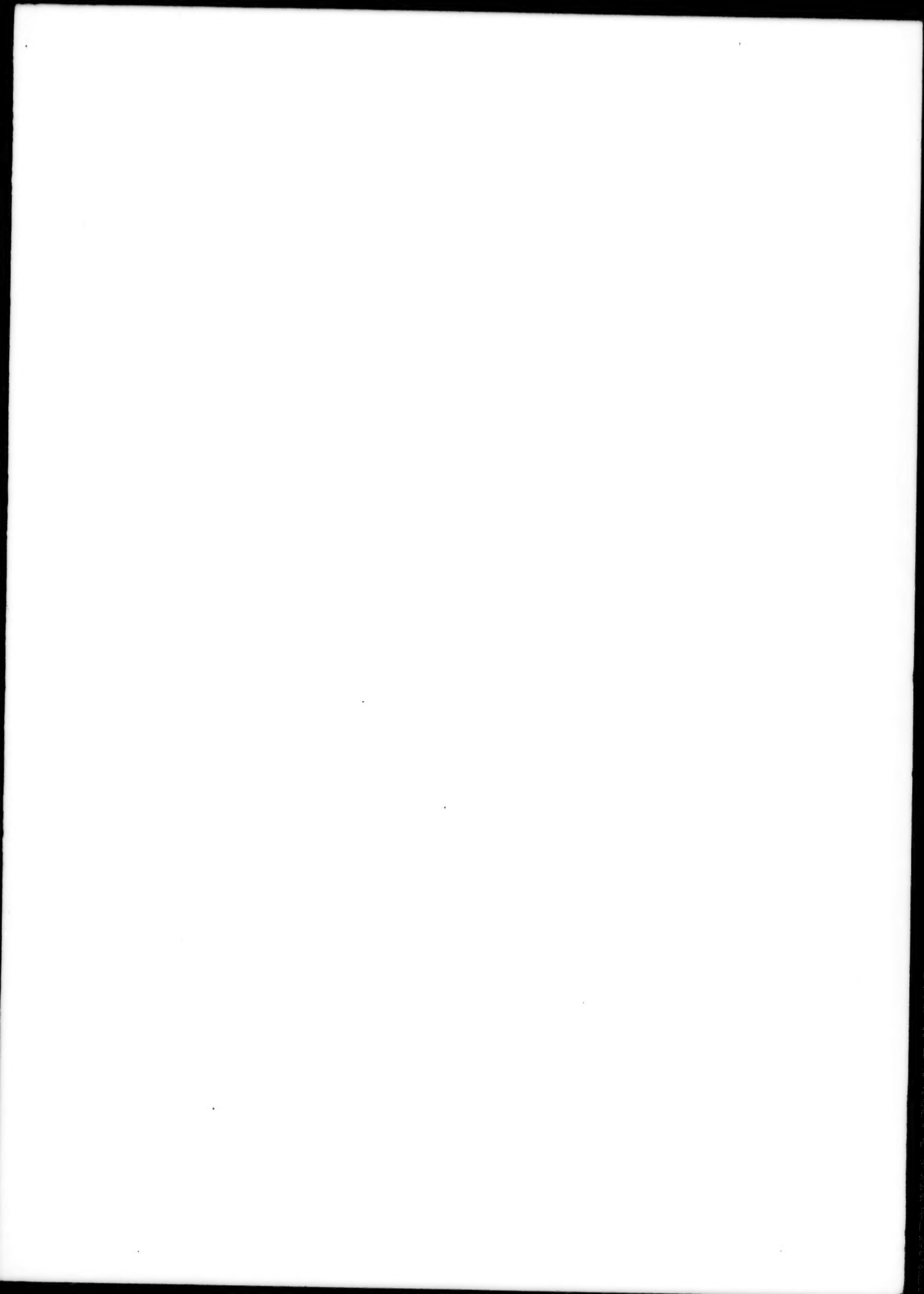
roll/personnel system cross-servicing. This brought the total of Department of Justice employees paid through the system, which is operated by the U.S. Department of Agriculture's (USDA) National Finance Center in New Orleans, to approximately 73,000. Previously, all components except the FBI used a system maintained by Justice Management Division (JMD) staff, and JMD staff provided operational payroll support. Now these components of the Department utilize the USDA system for documenting official personnel actions and for salary payments and related payroll withholdings and deductions; the National Finance Center provides the operational support.

The use of cross-servicing for processing payroll and personnel makes good business sense for a number of reasons. Using an already operational system avoided the cost and inherent risk of developing a new system. Implementing the USDA system provided major enhancements for users for approximately \$20 million less than an equivalent new system would have cost to develop and implement. Also, the availability of USDA as a service provider supplements in-house staff and injects market dynamics into the process. Competition can keep service costs low and quality high. Finally, the large number of users that the National Finance Center services means that all users benefit from economies of scale.

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# Glossary of Organizational Acronyms

BJA	Bureau of Justice Assistance
BOP	Bureau of Prisons
CRS	Community Relations Service
DEA	Drug Enforcement Administration
DOJ	Department of Justice
EOIR	Executive Office for Immigration Review
EPA	Environmental Protection Agency
EOUSA	Executive Office for United States Attorneys
FBI	Federal Bureau of Investigation
FDA	Food and Drug Administration
ICITAP	International Criminal Investigative Training Assistance Program
INS	Immigration and Naturalization Service
INTERPOL	International Criminal Police Organization
IRS	Internal Revenue Service
JMD	Justice Management Division
LECC	Law Enforcement Coordinating Committee
NIJ	National Institute of Justice
OCDETF	Organized Crime Drug Enforcement Task Force
OJJDP	Office of Juvenile Justice and Delinquency Prevention
OSC	Office of Special Counsel for Immigration Related Unfair Employment Practices
USMS	United States Marshals Service
USNCB	United States National Central Bureau



**END**

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